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Journal

OF THE

COUNCIL OF CENSORS,

A. D. 1841-2.

JOURNAL

OF THE SESSIONS OF THE

Vermont

COUNCIL OF CENSORS,

OF THE

State of Vermont,

HELD AT MONTPELIER,

IN JUNE, AND OCTOBER, A. D. 1841,

AND AT BURLINGTON,

IN FEBRUARY, A. D. 1842.

Burlington:
CHAUNCEY GOODRICH.
1842.

JOURNAL.

The Council of Censors, elected on the last Wednesday of March, A. D. 1841, agreeably to the Constitution of the State of Vermont, met at the state-house in Montpelier, on the first Wednesday in June, being the second day of said month, in the year of our Lord, 1841, when the following members appeared, produced their credentials, and took their seats, to wit:

Joseph D. Farnsworth,
Peter Starr,
John A. Pratt,
Wallis Mott,
Austin Birchard,
Martin C. Deming,
Luther Carpenter,
Gordon Newell,
Hezekiah H. Reed,
Alvah R. French,
Heman Allen.

The Council having been called to order, the Hon. J. D. Farnsworth was elected President *pro tem.*, and Gordon Newell, Secretary *pro. tem.*

Mr. Allen, on motion, introduced the following resolution:

Resolved, That the Sergeant-at-Arms be requested to attend on the Council, by himself or his deputy, during the present session.

Which was read and adopted.

Mr. Pratt, on motion, introduced the following resolution:

Resolved, That a committe of three be appointed to report rules for the government of this Council, to be nominated by the President.

Which was read and adopted, and Messrs. Allen, Pratt and Starr were appointed the committee.

Mr. Starr, on motion, introduced the following resolution:

Resolved, That the Rev. Buel W. Smith, be requested to act as Chaplain to this Council during the present session, and that the session be opened in the morning with prayer.

Which was read and adopted.

Council adjourned to nine o'clock to-morrow morning.

G. NEWELL, *Sec. pro tem.*

THURSDAY, June 3d, 1841.

Council met pursuant to adjournment.

Prayer by the Rev. B. W. Smith.

On motion of Mr. Birchard, the Council proceeded to choose a President and Secretary.

Wereupon the

HON. J. D. FARNSWORTH,

was chosen President, and

H. H. REED,

was chosen Secretary.

The committee appointed for reporting rules for the government of the Council, submitted the following report, to wit:

I. The Council shall meet every day (Sundays excepted,) at nine o'clock A. M. and at 2 o'clock P. M. unless otherwise specially ordered.

II. The President shall take the chair at the hour to which the Council stands adjourned, and call to order and proceed to business.

III. All committees shall be appointed by the President, but such appointments may, on motion of a member, be over-

ruled by the Council, in which case the Council shall, on the nomination of a member, fill the vacancy.

IV. No member shall absent himself from the services of the Council unless he shall have leave, or be unable to attend.

V. The yeas and nays may be taken and entered upon the journal, upon the call of a member.

VI. The following standing committees shall be appointed, to wit:

1st. A committee of three to inquire whether the Constitution has been preserved inviolate during the last septenary, which shall be called the *Committee on the powers of the Constitution.*

2d. A committee of three to inquire whether the legislative branch of the government have performed their duty as guardians of the people, or assumed to themselves, or exercised, other or greater powers than they are entitled to by the constitution, which shall be called the *Legislative Committee.*

3d. A committee of three, to inquire whether the executive has assumed or exercised other or greater powers than the constitution allows, which shall be called the *Executive Committee.*

4th. A committee of three, who shall enquire whether the public taxes have been justly levied and collected, and in what manner the public moneys have been disposed of, which shall be called the *Committee on Taxes and Expenditures.*

VII. A motion to adjourn shall be always in order.

VIII Motions on resolutions shall have precedence as follows:

1st—To dismiss.

2d—To postpone to a day certain.

3d—To lie on the table.

4th—To commit.

5th—To amend.

Which was read and adopted.

Mr. Birchard introduced the following resolutions:

Resolved, That a standing committe of three shall be appointed, denominated the *Judiciary Committee.*

Resolved, That a committee of three members be appointed to report business for the consideration of the Council, which shall be denominated the *Committee of Arrangements.*

Which were severally read and adopted.

Mr. Starr introduced the following resolution:

Resolved, That it is expedient so to amend the Constitution of this State, as to secure a more equal representation of the people in the House of Representatives.

Which was read and referred to a select committee of three.

Mr. Allen introduced the following resolution:

Resolved, That a committee of three members be raised, whose duty it shall be to inquire into the expediency of so amending the Constitntion as to elect the Senators for three years. And that at the commencement of the next session of the Legislature, after the election of Senators under the Constitution, amended as aforesaid, they shall be divided into three classes, so that the seats of the Senators of the first class shall be vacated at the expiration of the first year; of the second class at the expiration of the second year, and of the third class at the expiration of the third year, so that one third may be chosen every year. And if vacancies happen by resignation or otherwise, the Governor may make temporary appointments until the next annual election, when such vacancy shall be filled for the remaining part of the term, in the same manner as the election of other Senators is made.

Which was read and adopted.

Mr. Newell introduced the following resolution:

Resolved, That it is expedient so to amend the Constitution as to give the appointing power or election of Sheriffs, High Baliffs, State's Attorneys, Justices of the Peace in the several counties and towns, to the people directly, at their annual town meeetings for the election of state officers, under such restrictions and regulations as the Council shall prescribe.

Which was read and referred to a select committee of three.

Mr. Pratt introduced the following resolution:

Resolved, That the Treasurer of this State be requested to prepare and furnish to this Council, at their adjourned session in October next, a statement of balances due the Treasury for taxes, therein designating the names of towns from which such balances are due, and the year in which they respectively accrued. And also a statement of balances, if any are due, from the several Sheriffs, County Clerks and State's Attorneys in the several counties, and the years in which such balances accrued. And also a statement, if any balances are due from any of the County Judges for licenses, &c.

Which was read and adopted.

Mr. Allen introduced the following resolution:

Resolved, That the committee on the Powers of the Constitution be directed to inquire whether the eleventh chapter of the militia law, relating to courts martial and courts of inquiry, does not contain provisions repugnant to the seventeenth article of the first part of the Constitution.

Which was read and adopted.

Mr. Starr presented the following resolution:

Resolved, That it is expedient so to amend the Constitution of this State as to give more permanency to the office of the Judges of the Supreme Court.

Which was read and referred to the Judiciary committee.

Adjourned.

2 o'clock, P. M.

Council met pursuant to adjournment.

Mr. Newell presented the following resolution:

Resolved, That it is expedient so to amend the Constitution as to change the time of the general state elections from the first Tuesday of September to the —— day of November. And also the meeting or session of the Legislature in October to some day in the month of December or January, as may be found for the interest and convenience of the people.

Which was read and referred to a select committee of three.

Mr. Reed presented the following resolution:

Resolved, That a committee of three be appointed to in-

quire and report at the next session of this Council, whether any person holding any office of profit or trust under the authority of Congress, either openly or by covinous resignation, during the last septenary, has at the same time held any Legislative, Executive, or Judiciary office under this state, in violation of the twenty-sixth section of the second part of the Constitution.

Which was read and adopted.

The President announced the appointment of the following Committees:

On the Powers of the Constitution—Messrs. Allen, Starr, and Newell.

On the Legislative Committee—Messrs. Pratt, Deming and Mott.

On the Executive Committee—Messrs. Reed, Carpenter and French.

On Taxes and Expenditures—Messrs. Deming, Birchard and Pratt.

On the Judiciary Committee—Messrs. Starr, Newell and Birchard.

On the Committee of Arrangements—Messrs. Birchard, Reed and French.

On Mr. Starr's resolution for a more equal Representation —Messrs. Starr, Newell and Allen.

On Mr. Allen's resolution for electing Senators for three years—Messrs. Allen, Carpenter and Mott.

On Mr. Newell's resolution for electing county officers—Messrs. Newell, Pratt and Carpenter.

On Mr. Newell's resolution for changing the time of elections, &c.—Messrs. Newell, Allen and Starr.

On Mr. Reed's resolution for holding offices in violation of the Constitution—Messrs. Reed, Starr and Carpenter.

Mr. Birchard, from the Committee of Arrangements, made the following report:

Resolved, That the Legislative Committee be instructed to inquire whether it be necessary to amend the Constitution relative to the Legislative departments of the government.

Resolved, That the Executive Committee be instructed to inquire whether it be necessary to amend or explain the Constitution relative to the powers and duties of the Executive officers of the Government.

Resolved, That the Judiciary Committee be instructed to inquire whether it be necessary to amend the Constitution relative to the appointment and tenure of the Judiciary officers of the Government.

Resolved, That the Committee on Taxes and Expenditures be instructed to inquire whether the public taxes have been justly laid and collected in all parts of the State; whether the public monies have been honestly disbursed and economically expended, and whether the revenue laws have been duly executed. And also that the Committee have power to send for persons, papers and records.

Resolved, That the Committee on the Powers of the Constitution be instructed to inquire whether the constitution has been preserved inviolate during the last septenary, and whether the Executive or Legislative branches of the government have performed their several duties as faithful agents of the people, or assumed to themselves unconstitutional powers; and also whether any unconstitutional laws have been enacted, and whether the laws generally have been duly executed, and also that the committee have power to send for persons, papers and records.

Mr. Allen introduced the following resolution:

Resolved, That the Secretary be instructed to procure to be printed fifty copies of the proceedings of this Council of Censors, at this session, for the use of the members.

Which was read and adopted.

On motion, the Council adjourned, to meet again at the State House, in Montpelier, on the Wednesday next after the second Thursday of October next.

I certify that the foregoing is a true journal of the Council of Censors, at their first session, holden at Montpelier, in the month of June, 1841. H. H. REED, *Secretary*.

SECOND SESSION.

MONTPELIER, WEDNESDAY, October 20, 1841.

The Council met pursuant to their adjournment.

Present, Hon. J. D. FARNSWORTH, President,
PETER STARR,
JOHN A. PRATT,
WALLIS MOTT,
AUSTIN BIRCHARD,
MARTIN C. DEMING,
LUTHER CARPENTER,
GORDON NEWELL,
HEZEKIAH H. REED
ALVAH R. FRENCH,
HEMAN ALLEN.

The President called to order.

Prayer by the Rev. Mr. Young.

David Hibbard Jr., a member of the Council, appeared, produced his credentials and took his seat.

On motion,

Ordered, That when the Council adjourn, they adjourn to meet at three o'clock this afternoon.

The Council adjourned.

3 o'clock P. M.

The Council met pursuant to adjournment.

Ephraim Paddock, a member of the Council, appeared, and, on motion, was admitted to a seat.

Mr. Newell presented the following resolution:

Resolved, That the President of the Council be instructed to appoint such of the members of this Council as were absent

at the first session thereof, upon such of the committees then raised, as, in the opinion of the President, shall be proper.

Which was read and adopted.

Mr. Birchard presented the following resolution:

Resolved, That the Rev. Mr. Kellogg and the Rev. Mr. Young be requested to attend alternately on this Council, during the present session, and that the morning sessions be opened with prayer.

Which was read and adopted.

Mr. Allen presented the following resolution:

Resolved, That the sergeant-at-arms be requested to attend, by himself or deputy, during the session of this Council.

Which was read and adopted.

Mr. Starr introduced the following resolution:

Resolved, That it is expedient to amend the Constitution of this State by expunging or abolishing the *forty third section* thereof, relating to the Council of Censors and the mode of amending or altering the Constitution of this State; and by adding or substituting, in lieu thereof, the following section or provision, viz:

All amendments or alterations of the Constitution of this State, hereafter to be made, shall be proposed to the people, and be adopted by them in the following manner, to wit; All amendments or alterations of the Constitution shall be first proposed in the form of a resolution or resolutions in either branch of the Legislature, at the annual session thereof, and be passed or adopted in the usual form of passing laws after a first, second, and third reading; and after being so adopted by the branch of the Legislature in which they are first presented, they shall be sent to the other branch, for their consideration and action thereon; and if adopted by both branches in the same manner, or after amendment thereof, said resolution or resolutions, shall be published, as "proposed amendments of the Constitution of the State," with the laws of the session, in which the same is or are adopted; and also in all the newspapers of the State, under the direc-

tion of the Secretary of State, for the information and action of the *people* thereon. And the Legislature shall, at the same session thereof, prescribe by *act* the form of a *ticket*, and the mode of voting, by the *people*, with reference to the said amendments so proprosed, at the then next annual election of state officers in this State. At which time the votes of the freemen shall be taken in reference to the amendments so proposed as aforesaid, and counted, certified and returned to the General Assembly, and be canvassed in the same manner that the votes for Governor, &c. are returned and canvassed. And if a majority of the legal votes of the freemen so returned and canvassed as aforesaid, shall be in favor of the adoption of the said amendments so proposed as aforesaid, the same shall become a part of the Constitution of this State, and shall, by proclamation of the Governor, be published and declared to be a part of the Constitution.

Which was read and referred to a select committee of three, and Messrs. Paddock, Hibbard and Birchard were appointed the committee.

The President announced the appointment of Mr. Paddock as an additional member of the committee on the powers of the Constitution, and Mr. Hibbard, as an additional member of the committee on Mr. Allen's resolution for electing Senators for *three* years.

The Council adjourned.

THURSDAY, October 21, 1841.

Prayer by the Rev. Mr. Kellogg.

Mr. Allen, from the committee on the Powers of the Constitution, to whom was referred the resolution in relation to the militia laws of this State, made the following report: to wit.

"It is made the duty of the Council of Censors to inquire whether the Constitution has been preserved inviolate, for

the last septenary; and to recommend to the Legislature the repealing of such laws as shall appear to them to have been passed contrary to the principles of that instrument. This is an important duty, and imperatively required to be performed, by the provisions of the Constitution. The Council of Censors have no right to inquire whether the operations of a law appear useful and beneficial to a portion of citizens, provided they find that law contravening the provisions of the Constitution. In such case, it is their duty to recommend the repeal of such law. If we would guard our rights, we should watch the barriers erected to protect them, and see that they are not broken down.

In pursuance of this duty, the committee have had their attention drawn to the provisions of the law referred to them, regulating and governing the militia of this State. They have, with great caution, examined the constitutionality of this law, inasmuch as the enactments which they feel bound to censure have stood upon the statute book from an early period of our government.

In the ninth and eleventh chapters of the militia laws, are contained the enactments of the rules and articles by which the militia of this State shall be governed, when not in actual service. These chapters contain provisions for sundry amercements and forfeitures for unmilitary conduct and disobedience of orders, imposed without the intervention of any civil magistrate, and excluding the right of trial by jury. The fine is imposed by a court martial, and the execution of the sentence enforced by levy on the goods, chattels, or body of the delinquent. This, the committee believe, is in direct violation of the seventeenth article of the Constitution, which declares "that no person in this State can, in any case, be subjected to *law martial*, or to any penalties and pains by virtue of that law, except those employed in the army and militia in actual service," as well as in violation of another sacred provision of that instrument, which also declares "that, in all prosecutions for criminal offences, the person accused shall have a right to a speedy public trial by an impartial

jury of the country, without the unanimous consent of which jury he cannot be found guilty." The militia *in actual service* is widely different from militia *called out for ordinary discipline*, or for *review* of *arms*. When the militia are in actual *service*, the rules and articles of war for the army of the United States are made to apply to them, according to the provisions of the Constitution. The Constitution of the United States gives to Congress the power to provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States. But the courts, as now established, for governing the militia when not in actual service, are denominated courts martial. The laws by which they are governed are peculiar to these courts, and are consequently *laws martial*. They are exercised upon and affect the militia man not in actual service; consequently they are against the provisions of the Constitution relative to this subject.

Neither do your committee see the necessity of adopting law martial in governing the militia when called together for the review of arms or military drill, in time of peace. They believe the civil arm possesses strength sufficient for their government when called together for such purposes. They see no greater reason for the exercise of martial law for their government, in time of peace, than there is for its exercise in the government of other bodies of men employed in the ordinary business of life.

The civil law, only, should operate on all classes of our citizens, so long as they are employed as ordinary citizens. The militia of this State are citizens with us. We are of the militia, and should all be governed by the same laws, administered in the same manner, so far as is consistent with the welfare of our institutions. Above all, the right of trial by jury, that palladium of liberty, guaranteed by the Constitution, should never be infringed. To guard with the utmost vigilance against the introduction of all arbitrary modes of trial, which would eventually destroy our liberties, is a duty worthy of every citizen, one which he owes to the community and to himself.

Your committee, therefore, recommend the repeal or modification of that part of the military law, above referred to, which they believe to be derogatory to the provisions of the Constitution of this State."

Which report was read and referred to a committee of the whole, Mr. Newell in the chair.

The committee of the whole, having had said report under consideration, recommended to the Council the adoption of said report, and the appointment of a committee of three to draft a memorial to the Legislature now in session, recommending a modification of the militia laws so far as to give to delinquents, under those laws, the right of trial in the civil courts for offences committed by such delinquents when not in the actual service of this State, or the United States.

On motion,

The Council resolved to concur in said recommendation. And thereupon the President appointed Messrs. Paddock, Allen and Hibbard a committee to draft such memorial.

Mr. Hibbard introduced the following resolution:

Resolved, That the committee on the Powers of the Constitution be directed to inquire whether the several acts of the Legislature of this state, passed Nov. 8, A. D. 1832, entitled "An act to provide for removing obstructions in Nulhegan River," also an act entitled "An act to provide for removing obstructions in the Pasumpsic and Moose Rivers," passed Nov. 7, A. D. 1835, and also an act to provide for removing obstructions in Paul's stream, in the county of Essex, passed Nov. 19, A. D. 1839, are authorized by the constitution of this state.

Which was read and passed.

Mr. Pratt introduced the following resolution:

Resolved, That, should this council call a convention of the people, it shall be composed of delegates chosen from the different counties of this state, as near as may be in proportion to the population thereof.

Which was read and ordered to lie on the table.

The council adjourned.

AFTERNOON.

The President submitted the following resolution:

Resolved, That it is expedient to amend the constitution of this state so as to require, in addition to the qualifications now required of a candidate for admission as a freeman, that he be able to read the English language.

Which was read and referred to the committee on the Powers of the Constitution.

Mr. Starr, from the Judiciary Committee, to which was referred the resolution recommending an amendment of the constitution so as to give more permanency to the office of Judges of the Supreme Court, made the following report, viz:

"That, having had the said resolution under their consideration, they do not deem it expedient to recommend, at the present time, any alteration of the constitution in that respect."

Which was read and ordered to lie upon the table.

Mr. Hibbard introduced the following resolution:

Resolved, That a committee be appointed to inquire into the expediency of so amending the constitution of this state as to abolish the last clause of the twenty sixth section of the second part of the constitution.

Which was read and ordered to lie on the table.

The council adjourned.

FRIDAY, October, 22, 1841.

Prayer by the Rev. Mr. Young.

A communication was received from the treasurer of the state, which was, on motion, referred to the committee on Taxes and Expenditures.

Mr. Newell, from the committee to whom was referred the resolution instructing them to inquire and make report on the expediency of altering or amending the constitution so

that the State's Attorneys, Sheriffs, High Bailiffs, and Justices of the Peace in the several counties and towns should be elected by the freemen thereof, reported, that, in the opinion of the committee, it is expedient so to amend or alter the constitution.

Which was read and adopted: and said report was referred to the same committee with instructions to draft articles of amendment in accordance therewith.

Mr. Reed, from the committee to whom was referred the resolution of inquiry for holding offices in violation of the constitution, made the following report, viz:

That the committee consider the office of deputy Postmaster to be an office of profit and trust, and held under the authority of Congress, and therefore incompatible with the holding, at the same time, of any legislative, executive, or judiciary office under this state. Your committee further report, that, from inquiry and examination, they are fully satisfied that there have been frequent violations of the twenty sixth section of the second part of the constitution, during the last septenary, by persons holding the office of *deputy Postmaster* under the authority of congress, and at the same time holding the office of a member of the legislature or some judiciary office under this state.

Which was read and concurred in.

The council adjourned.

Afternoon.

Mr. Paddock, from the committee to draft resolutions and a memorial to the legislature, now in session, recommending a modification of the militia laws, &c., presented the following:

In Council of Censors, Oct. 22, A. D. 1841.

Resolved, That so much of the acts passed on the first day of November, A. D. 1837, and on the 19th day of November, A. D. 1839, regulating and governing the militia of this

state when not in actual service, as are hereafter mentioned and pointed out, are unconstitutional, and ought not to have been passed. To wit: in chapter nine and section first, the articles numbered 1, 2, 3, 5, 12, and 21; in chapter eleven, the sections numbered 1, 3, 4, 5, 6, and 7, passed the 1st day of November, A. D. 1837; also, in chapter six, the section numbered 3; and in chapter eight, the sections numbered 2, 3, 4, 5, 6, 7, 8, and 9; and also, in chapter ten, the sections numbered 7, 12, 13, and 14, passed the 19th day of November, A. D. 1839.

The articles and sections above enumerated contain provisions for imposing sundry amercements, fines, and forfeitures on citizens of this state, for unmilitary conduct and disobedience of orders, without the intervention of any civil magistrate, and excluding the right of trial by jury.

The fine is imposed by a court-martial, and the sentence enforced by the levy of execution on the goods, chattels, or body of the delinquent.

This the Council of Censors believe to be in direct violation of the seventeenth article of the Constitution, which declares, "That no person in this state can, in any case, be subjected to *law martial*, or to any penalties and pains by virtue of that law, except those employed in the army and in the militia in actual service;" and also in violation of another sacred provision of that instrument which declares, "That in all prosecutions for criminal offences, the person accused shall have a right to a speedy public trial, by an impartial jury of the country, without the unanimous consent of which jury, he cannot be found guilty."

The Council find the seventh section in the tenth chapter of the law passed on the 19th day of November, A. D. 1839, to be, if possible, more exceptionable than the other sections in said chapter, specified as aforesaid.

Certain penalties are therein imposed on officers, required by said laws to make return in writing, and on failure to perform their duty, the officer, to whom such return should have been made, may demand the penalty of the delinquent

officer either verbally or in writing; and if the delinquent officer shall neglect or refuse to pay said fine, within fifteen days after demand made as aforesaid, then the officer to whom such return should have been made, shall issue his execution therefor.

The Council consider this section, as not only contravening the principles of the Constitution, but despotic in its character, and wholly repugnant to the spirit and genius of our government.

The militia in actual service is a very different thing from the militia called out for ordinary discipline, or for the review of arms; and the exception in the seventeenth article in the Constitution in no wise authorizes the above enactments. Therefore,

Resolved, That the Council do recommend to the Legislature now in session, to repeal the articles and sections above specified; and that the Secretary of this Council be directed to transmit, forthwith, a copy of these resolutions to the President of the Senate and to the Speaker of the House of Representatives, for the consideration of their respective honorable bodies.

Which was read and adopted by a unanimous vote of the Council.

Mr. Hibbard called up the resolution for abolishing the last clause of the twenty sixth section of the second part of the Constitution. And the same was referred to a committee of three, and Messrs. Hibbard, Paddock and French were appointed the committee.

Mr. Allen, from the committee to whom was referred the resolution for electing Senators for three years, made the following report, viz:

"That, in order to preserve a republican government in its freedom, all wise legislation has introduced the system of checks and balances of power.

The Constitution of the United States, and most of the States of the Union, have introduced for checks the three

departments of government, an Executive, a Senate and House of Representatives.

We have done the same, but have we adopted it in that manner, which will best promote its object? The committee belive not, and that the deficiency consists in the want of a more permanent tenure in the office of the Senators.

All branches of our Legislature derive their power directly from the people, and are made responsible to them for their conduct, at short and limited periods. By the present Constition they surrender their powers to the people at the end of each year.

The committee believe that the Senators should be elected for three years, and classed in such a manner, that one third should go out of office at the end of each year.

One great object in creating a Senate is to review and re-examine the doings of the House of Representatives, and form a check on a too hasty legislation, which is known to be sometimes attendant upon so numerous a body as the House of Representatives.

To qualify the Senators for their duties they ought to have more experience than can be expected of them when chosen for so short a period as one year.

If the selection of the candidates be ever so well made, without previous experience they cannot, in the course of one year, acquire that acquaintance with legislation, nor that familiarity with the various rules of action, as ought to be acquired for a competent discharge of their duty.

It is believed that if the tenure of office for Senators should be fixed at three years, more attention would be paid to the selection of candidates for the office, than when the office is fixed at a shorter period.

Under a tenure of three years, the Senator will feel a greater necessity, and will with more assiduity prepare himself for a competent discharge of his duties, than when elected for a single year.

His own powers, principles, and experience, will be known to his constituents, and if he has approved himself to them

for his wisdom and faithfulness, and devotion to the true principles of our government, he will stand a better chance for re-election than the same person would under the present system. He thus has the opportunity of testifying to his constituents his capacity to carry out the trust which they have placed in his hands.

Your committee would, therefore, recommend an alteration of the Constitution so as to give to Senators a tenure of office for three years, and in such a manner that the seats of one third of their number should be vacated at the end of each year."

Which report was read and adopted, and referred to a committee of two with instuctions to draft articles of amendment to the Constitution in conformity with said report.

Messrs. Paddock and Allen were appointed the committee.

The Council adjourned.

SATURDAY, Oct. 23, 1841.

Prayer by the Rev. Mr. Kellogg.

Mr. Paddock, from the committee to draft articles of amendment to the Constitution, for electing Senators for three years, presented the following *articles* of *amendment*, viz:

ARTICLE 1. The Senate shall be composed of thirty Senators, to be of the freemen of the county for which they are elected respectively, who shall have attained the age of thirty years, and to be elected for three years by the freemen of each county respectively. Immediately after they shall be assembled, in consequence of the first election under this Constitution, as amended, they shall be divided equally into three classes; the seats of the Senators of the first class shall be vacated at the expiration of the first year; of the second class, at the expiration of the second year, and of the third class at the expiration of the third year, so that one third may be chosen every year. And if vacancies happen by resignation or otherwise, during the electoral year, the

Governor may make temporary appointments until the next election, when the vacancies may be filled by the freemen.

Article 2. The Senators shall be apportioned to the several counties according to the population, as ascertained by the census, taken under the authority of Congress, A. D. 1840; regard being always had in such apportionment to the counties having the greatest fraction, always giving to each county one Senator at least. The Legislature shall make a new apportionment of the Senators to the several counties, after the taking of each census of the United States, or after a census taken for the purpose of such apportonment by order of the government of this State.

Which was read and ordered to lie on the table.

Mr. Newell, from the committee to whom was referred the resolution for changing the time of elections, and the time of holding the sessions of the Legislature, reported the following articles of amendment of the Constitution, viz:

1. The general state election shall hereafter be held on the second Tuesday of October annually, forever. And the Legislature shall meet on the first Thursday of January in the year of our Lord one thousand eight hundred and forty four, and on the first Thursday of January in every year thereafter, unless they shall, by law, appoint different days, either for the general election or the meeting of the Legislature.

2. The Governor, Lieutenant Governor, Treasurer, Secretary of State, Judges of the Supreme, County and Probate Courts, Sheriffs and High Bailiffs, shall hold their offices until others are elected and qualified in their stead.

Which articles were read and laid on the table.

Mr. Pratt had leave of absence until Monday morning next.

Mr. Newell, from the committee to whom was referred the report on the resolution for electing county officers by the freemen, submitted the following articles of amendment, viz:

ARTICLE.

Section 1. Sheriffs and High Bailiffs shall be elected by the freemen of their respective counties, and shall hold their

offices for the term of one year, and shall give bonds in such manner and amount as the Legislature shall direct.

SECTION 2. State's Attorneys shall be annually elected by the freemen of their respective counties.

SECTION 3. The election of the several officers mentioned in the preceding sections, shall be made at the times and in the manner now directed in the Constitution for the choice of Senators. And the proper officer, after he shall have sealed up and directed the votes, shall deliver them to some representative chosen to attend the General Assembly, and at the opening of the General Assembly, there shall be a committee appointed out of the same, who shall be sworn and shall proceed to receive, sort and count the votes, and the highest in nomination for the respective offices shall be by said committee declared duly elected, and by the Governor be duly commissioned. And if two or more persons, designated for any one such office, shall have received an equal number of votes, the General Assembly shall elect one of them to such office.

SECTION 4. Justices of the peace in each town shall be annually elected by the freemen thereof, and, until otherwise provided by law, their election shall be made on the day and in the manner now directed for the choice of representatives to the General Assembly; provided, that no town having less than one thousand inhabitants, by the last census of the United States, shall have more than *five* Justices of the peace, and no town having not to exceed fifteen hundred inhabitants shall have more than *seven* Justices of the peace. And no town shall have more than twelve Justices of the peace; provided, also, that any town may at the annual March meeting determine by vote or resolution to elect a less number of Justices at their next freemen's meeting than the number above limited,and provided,also,that said Justices shall in all cases be elected by a plurality of votes. And it shall be the duty of the town clerk of each town, for the time being, to make a certificate of the names of such persons who shall have been duly elected to said office, directed to

the Governor, who, on receiving such certificate, shall commission the same.

Which were read and ordered to lie on the table.

Mr. Paddock, from the committee to whom was referred the resolution for abolishing the forty third section of the Constitution, reported, that, in the opinion of said committee, it is inexpedient to abolish the forty third section of the Constitution of this State.

Ordered, that said report be laid on the table.

On motion,

Resolved, That when the Council adjourn, it adjourn to meet on Monday next, at nine o'clock, A. M.

The Council adjourned.

MONDAY, Oct. 25, 1841.

Prayer by Rev. Mr. Young.

Mr. Starr, from the committee to whom was referred the resolution for a more equal representation, made the following report, viz:

That, in the opinion of the committee, it is expedient to alter or amend the eighth section of the second part of the Constitution, by adding thereto the words following, to wit:

"Provided, that every town having two thousand and five hundred inhabitants, shall have the right to elect two representatives, and every town having three thousand five hundred inhabitants, shall have the right to elect three representatives, and every town having five thousand inhabitants, shall have the right to elect *four* representatives."

Mr. Allen, from the committee on the powers of the Constitution, to whom was referred the resolution, to inquire whether it be expedient so to amend the Constitution of this State as to require, in addition to the qualifications now required of a candidate for admission as a freeman, that he be able to read the English language, reported, that they have had the subject under consideration, and that, though

they deem it of the highest importance that all classes of our citizens should be educated so far as to be able to read the English language, and that they should also be qualified to transact all ordinary business; and that the foundation of all free institutions of government rests upon the intelligence of its inhabitants, and that every facility should be afforded for the general diffusion of knowledge amongst its citizens; yet they have come to the conclusion that it is inexpedient at this time to propose any alteration of the constitution in regard to this subject.

Which was read and accepted.

On the question "shall the resolution be adopted?" it was decided in the negative. So the resolution was rejected.

Mr. Birchard, from the minority of the committee to whom was referred the resolution for abolishing the forty third section of the constitution, and for substituting some other provision for amending said constitution, submitted the following

ARTICLE.

The senate, at its first session in the year one thousand eight hundred and forty six, and at its first session in every fifth year thereafter, shall have power to propose amendments to the constitution; and when any specific and particular amendment or amendments to the constitution shall be proposed in the senate, and agreed to by a majority of that body, such amendment or amendments shall be entered on the journal of the senate, with the yeas and nays taken thereon, and it shall be the duty of the senate to submit such proposed amendment or amendments to the people; and if they shall be approved or ratified by a majority of the qualified voters of the state who may vote thereon, at meetings legally warned and holden for that purpose, they shall become a part of the constitution of this state. And the amendment or amendments proposed by the senate shall be published for public consideration, at least six months previous to the time of holding the meeting aforesaid. And the senate shall have the

power to pass and enforce all ordinances necessary for carrying the provisions of this article into full and complete effect. And the forty third section of the constitution, which provides for a council of censors, shall be hereby abolished.

Which article was referred to the committee of the whole.

Mr. Allen, from the committee on the Powers of the Constitution, to whom was referred a resolution of inquiry, whether the several acts of the legislature of this state for removing obstructions in Nulhegan river and other rivers and streams, are authorized by the constitution of this state, reported:

"That the several laws relating to the improvements of the rivers or streams in said acts named, by removing the obstructions therein, are alike in character, and will come under the same rule of decision in regard to their constitutionality.

The streams are high above the ebb and flow of the tides, and are not of sufficient dimensions for the floating of vessels, or other water craft, of any considerable size. They are not, therefore, such as come within the description of those rivers or waters which belong to the public. Nor could these waters be used by the public without improvement by widening and clearing out their channels. They would not belong to the public unless so dedicated by the owners of the soil through which they pass, or made public by act of the legislature.

In these acts the legislature have given to certain individuals the right to enter upon and improve said streams so as to render them navigable, or render them useful for some purposes, allowing, as a compensation therefor, the right to receive tolls upon property floated down said streams, the rates to be regulated by the courts of the county through which the streams flow.

Although the words of the acts do not declare that the use of these waters shall belong to the public, yet such is their spirit and effect, and your committee believe that the legisla-

ture have, by these laws, dedicated the use of these waters to the public.

In the same acts provision is made for compensation, to the individual owners, for all damages that may be done to their lands or property, in carrying the objects of the several acts into effect.

In the second article of the first part of the constitution of this state, it is declared, 'That private property ought to to be subservient to public uses, when necessity requires it; nevertheless, whenever any person's property is taken for the use of the public, the owner ought to receive an equivalent in money.'

The committee believe that the legislature went upon the ground that necessity required that the property in these streams should be made subservient to public use, and that, for such purpose, they allowed the improvements to be made. And, inasmuch as ample provision is made in those acts for compensation to the individual owners of the lands upon those streams, as an equivalent, the legislature did not transcend their powers, under the constitution, in making those laws."

And said committee recommended the adoption of the following resolution:

"*Resolved*, That it is inexpedient to recommend to the legislature the repeal of said laws."

And on the question "shall the resolution pass?" the yeas and nays, having been required by Mr. Newell, were taken, and were as follows:

Those who voted in the affirmative are,

Messrs. Deming, Birchard, Pratt, Newell, Carpenter, Allen, Starr, Reed, Paddock, Farnsworth, French, and Mott—12.

Mr. Hibbard voted in the negative—1.

The council adjourned.

TUESDAY, Oct. 26, 1841.

Prayer by the Rev. Mr. Kellogg.

Mr. Newell called up the reported articles of amendment of the Constitution for the election of county officers, stated on the journal of Saturday last.

Mr. Hibbard moved to dismiss said articles.

And on the question, shall the articles be dismissed? the yeas and nays having been required, were taken, and were as follows:

Those who voted in the affirmative are,

Messrs. Allen, Paddock and Hibbard—3.

Those who voted in the negative are,

Messrs. Deming, Birchard, Pratt, Newell, Carpenter, Starr, Reed, Farnsworth, French and Mott—10.

So it was decided in the negative.

The Council, on motion, went into committee of the whole, on said articles of amendment, Mr. Hibbard in the chair.

The committee of the whole, having had said articles of amendment under consideration, reported the same with the following proposal of amendment, viz: strike out the second article, relating to the election of State's Attorneys.

And the question, will the Council concur in the amendment proposed by the committee of the whole? having been taken, was decided in the affirmative.

On motion, the Council resolved to adopt said articles of amendment, as amended.

Mr. Paddock had leave of absence from and after to-day.

The Council adjourned.

AFTERNOON.

On motion, the Council took under consideration the report upon the resolution relating to a more equal representation in the House of Representatives, stated on the journal of Monday last; and on the question, shall the said report

and amendment be accepted and adopted? the yeas and nays having been required, were taken, and were as follows:

Those who voted in the affirmative are,

Messrs. Pratt, Starr and Allen—3.

Those who voted in the negative are,

Messrs. Deming, Birchard, Newell, Carpenter, Farnsworth, Reed, French, Hibbard and Mott—9.

So it was decided in the negative.

The Council adjourned.

WEDNESDAY, Oct. 27, 1841.

Prayer by the Rev. Mr. Young.

On motion of Mr. Allen, the Council took under consideration the resolution and report for the election of Senators for three years.

On motion of Mr. Allen,

Ordered, That said report be referred back to the same committee, and that three additional members be added to said committee.

The President appointed Messrs. Starr, Birchard and French as additional members of the committee.

Mr. Birchard called up the resolution for abolishing the forty-third section of the Constitution, &c., together with the report and counter report thereon, and the same were referred to the committee of the whole.

The Council adjourned.

AFTERNOON.

Mr. Paddock, from the select committee to whom was referred the report made on the resolution for electing Senators for three years, returned said report without alteration.

Mr. Reed moved to amend said report, so as to elect Senators for two instead of three years.

And the question, shall the amendment be adopted? having been taken, was decided in the negative.

The question, shall the articles of amendment to the Constitution for the election of Senators for three years, as reported by the committee, be adopted? was then taken, and decided in the affirmative.

So the said articles of amendment were adopted.

On motion of Mr. Allen, the Council went into committee of the whole, on the resolution and report for abolishing the forty-third article of the Constitution, Mr. Hibbard in the chair.

The committee of the whole, having had said resolution and report under consideration, rose, and, through their chairman, made the following report:

"The committee of the whole recommend to the Council of Censors to propose an article so amending the forty-third section of the Constitution as to retain the Council of Censors, but providing for the submission of any amendments of the Constitution, which they may at any time propose, directly to the people in their primary assemblies or town meetings."

On the question, will the Council adopt the report from the committee of the whole for amending the forty-third section of the Constitution? the yeas and nays having been required, were taken, and were as follows:

Those who voted in the affirmative are,

Messrs. Deming, Birchard, Pratt, Newell, Carpenter, Starr, Allen, and Farnsworth—8.

Those who voted in the negative are,

Messrs. Reed, French, Hibbard and Mott—4.

So it passed in the affirmative.

On motion of Mr. Pratt, a committee of one was raised to draft and report an article of amendment, in conformity with said report. And Mr. Allen was appointed the committee.

Mr. Allen, from the committee to draft an article of amendment to the forty third section of the Constitution, reported the following

ARTICLE.

Whenever two thirds of any Council of Censors shall propose any amendment, explanation or addition to the Consti-

tution of this State, they shall propose the same directly to the people for their adoption, instead of calling a convention to adopt the same; in which case, they shall, by an ordinance, to be by them promulgated for that purpose, call upon the freemen of the State qualified to vote for representatives to the General Assembly, to meet at the place of the last freemen's meeting in their towns respectively, on a day and hour to be designated in such ordinance, for the purpose of voting for the amendments which the Council of Censors shall have proposed.

And the articles to be amended, and the amendments proposed, and such articles as are proposed to be added or abolished, shall be promulgated at least six months before the day for such freemen's meeting.

And the Council of Censors shall, in such ordinance, designate the method in which the freemen shall be supplied with ballots, the manner in which their votes shall be expressed, the time, place, and manner of their return, and how and by whom the result shall be ascertained and certified to the Governor. And when the result of such ballotings shall have been certified to the Governor, or in his absence or disability, to the Lieutenant Governor, he shall, by proclamation, make the same known to the people. And such article or articles as shall have been adopted by a majority of the freemen voting as aforesaid, he shall cause to be transcribed, and certified under his hand and seal of the State, and deposited in the office of the Secretary of State. And the Secretary of State shall record the same. And they shall thereupon become and thenceforth be a part of the Constitution of this State and as such binding on the inhabitants thereof forever.

On the question, shall the aforesaid article of amendment be adopted? it passed in the affirmative.

So the article was adopted.

Mr. Newell called up the report and articles of proposed amendments, presented by the committee on the resolution

for changing the time of election of state officers and holding the sessions of the General Assembly.

On the question, shall said reported articles and sections of amendment to the Constitution be adopted? the yeas and nays having been demanded, were taken, and were as as follows:

Those who voted in the affirmative are,

Messrs. Deming, Birchard, Pratt, Newell, Carpenter, Starr, Allen, Farnsworth, French and Mott.—10.

Those who voted in the negative are,

Messrs. Reed and Hibbard—2.

So it was determined in the affirmative, and said articles and sections were adopted.

Mr. Pratt called up the resolution presented by him, relating to the manner of calling a convention, and, on motion, the said resolution was dismissed.

The Council adjourned.

THURSDAY, Oct. 28, 1841.

Prayer by the Rev. Mr. Kellogg.

Mr. Pratt introduced the following resolution:

Resolved, two thirds of this Council concurring herein, that it is expedient to call a convention, to meet at the State House in Montpelier, on the —— day of January, A. D. 1843, for the purpose of taking into consideration the proposed amendments to the Constitution, which have been or may be agreed on by this Council. The convention to consist of one member from each organized town in this State.

Which was read, and on motion,

Ordered, That said resolution be laid on the table.

Mr. Pratt introduced the following resolution:

Resolved, That when this Council adjourn, it shall adjourn to meet again at Woodstock, in the county of Windsor, on the 9th day of February next.

Mr. Allen moved to amend the aforesaid resolution, by

striking out "Woodstock, in the county of Windsor," and inserting "Burlington, in the county of Chittenden."

And the question, shall the proposed amendment be adopted? having been taken, was decided in the affirmative.

The question, shall the resolution be adopted as amended? was then taken and decided in the affirmative.

So the resolution as, amended, was adopted.

Mr. Allen introduced the following resolution:

Resolved, That a committee of one be appointed, whose duty it shall be to examine the constitutions of all the states in this union, and report an abstract, showing how the legislature is formed in each state, the number and periods of service of the senators and representatives, the term of office of the judges, and the manner of their election, and where the appointing power is lodged.

Which was read and adopted.

And Mr. Newell was appointed the committee.

Mr. Pratt introduced the following resolution:

Resolved, That a committee of three be appointed to draft an address to the people.

Which was read and adopted.

Messrs. Farnsworth, Starr, and Allen were appointed the committee.

Mr. Allen introduced the following resolution:

Resolved, That a committee of three be appointed for the purpose of revising and redrafting the several articles and sections of amendment to the constitution, which have been or may be proposed and adopted by this council of censors, and also to remodel said proposed amendments so as to render them consistent with the remaining parts of the constitution of this state, and also to report the articles of the present constitution which this council have proposed, or may propose, to amend, alter, or abolish.

Messrs. Allen, Reed, and Starr were appointed said committee.

Mr. French introduced the following resolution:

Resolved, That a committee of three be appointed to pre-

sent an article of amendment to the tenth section of the second part of the constitution of this state, so that the certificate of the presiding officer, as to the number of votes given for governor, lieutenant governor, and treasurer, shall be sufficient, without forwarding the ballots to the General Assembly, as is now required by said tenth section.

Which was read and passed.

Messrs. Reed, Allen, and Starr were appointed said committee.

Mr. Starr introduced the following resolution:

Resolved, That the proposed article of amendment adopted by this Council, for altering the general elections and the time of the session of the General Assembly in this state, be amended by adding thereto the following words: "Provided, that the several officers appointed under the authority of the legislature, at their session previous to the adoption of this amendment, shall continue in office until others are appointed in due course of law."

Which was read and passed.

Mr. Hibbard introduced the following resolution:

Resolved, That a committee of two be appointed to make up the debentures of this council.

Which was read and passed.

Messrs. Hibbard and Mott were appointed said committee.

Mr. Newell introduced the following resolution:

Resolved, That the Council of Censors deem it expedient to inquire into the propriety of so altering the provision in the constitution, making it the duty of the legislature to elect brigadier generals, that such officers shall be elected by the officers of the brigade.

Which was read, and, on motion,

Ordered, That said resolution be laid on the table.

Mr. Hibbard, from the committee appointed to make up the debentures of this Council, reported that said committee had performed the service assigned them.

On motion, Mr. Reed was appointed a committee to receive and disburse said debentures.

Mr. Reed reported that he had performed said service.

The Council adjourned.

FRIDAY, October 29, 1841.

Prayer by the Rev. Mr. Kellogg.

The Council adjourned to meet at Burlington, on the ninth day of February, 1842, in pursuance of their special order.

H. H. REED, *Secretary.*

THIRD SESSION.

WEDNESDAY, February 9, 1842.

The Council of Censors, in pursuance of their adjournment, assembled at Burlington, in the county of Chittenden, on the ninth day of February, A. D. 1842.

Present, the Hon. JOSEPH D. FARNSWORTH, President,
HEMAN ALLEN,
WALLIS MOTT,
PETER STARR,
JOHN A. PRATT,
GORDON NEWELL,
LUTHER CARPENTER,
ALVAH R. FRENCH,
EPHRAIM PADDOCK,
DAVID HIBBARD, JR.

Prayer by the Rev. Mr. Converse.

The President communicated to the Council the resignation of Hezekiah H. Reed, of the office of secretary of the Council, which was accepted.

On motion of Mr. Allen,

Ordered, That a secretary *pro tempore* be appointed, and Gordon Newell, a member, was duly appointed secretary *pro tempore*.

On motion of Mr. Newell,

Ordered, That a secretary of the Council be appointed, and William Weston was duly elected, who appeared and entered upon the duties of his office.

On motion, the journals of the previous sessions were read.

Mr. Allen introduced the following resolution,

Resolved, That a committee of two be appointed to report the unfinished business of the last session.

Which was read and passed.

The following communication from the Treasurer of Vermont was laid before the Council by the President.

TREASURER'S OFFICE,
MONTPELIER, January 20, 1842.

" *To J. D. Farnsworth, Esq., President:*

SIR,—In compliance with a resolution of the Council of Censors, furnished me at the close of their session in November, I would respectfully report that the following taxes are now due and unsettled, viz:

Dorset,	1838,	90 16	
Glastenbury,	1839,	18 58	
Newark,	"	24 06	
St. Johnsbury,	1838,	9 88	
Georgia,	"	112 57	
Guildhall,	1839,	59 23	
			$314 28
Bethel,	1840,	76 77	
Ludlow,	"	289 97	
Reading,	"	31 96	
Shoreham,	"	220 63	
Burlington,	"	494 45	
Essex,	"	32 60	
Hinesburgh,	"	131 09	
Duxbury,	"	108 10	
Roxbury,	"	38 42	
Sutton,	"	74 81	
Enosburgh,	"	129 46	
Highgate,	"	148 68	
Irasburgh,	"	196 70	
Alburgh,	"	192 21	
			$2,165 85

In addition to the above, there are some few small balances of less than one dollar each, and mostly less than twen-

ty five cents, which will be settled on receiving the taxes of the current year.

I know of nothing due from sheriffs, except I have within a few days issued extents for the amounts above reported due from Glastenbury, Duxbury and Alburgh.

I have no documents in my office whereby I can state the indebtedness of county clerks, state's attorneys, or judges of the county courts.

The delinquent collectors of taxes have all been written to, and I have received answers from them, and have no doubt the greatest part of the taxes will be paid within thirty days. I am, sir, respectfully yours,

JOHN SPALDING, *Treasurer.*"

Which communication was read and referred to the committee on Taxes and Expenditures.

Mr. Hibbard introduced the following resolution:

Resolved, That the sheriff of Chittenden county be requested to attend the Council of Censors, by himself or deputy, during their present session.

Which was read and passed.

The Council adjourned.

AFTERNOON.

Mr. Pratt introduced the following resolution:

Resolved, That the Rev. J. K. Converse, of Burlington, be requested to attend the Council of Censors, during their present session, and that our sessions be opened each morning with prayer.

Which was read and passed.

The President announced the appointment of Messrs. Starr and Allen as the committee to report the unfinished business of the last session, under the resolution stated upon the journal of this forenoon.

The Council adjourned.

THURSDAY, February 10, 1842.

Prayer by the Rev. Mr. Converse.

Mr. Austin Birchard, a member of the Council, appeared and took his seat.

Mr. Starr, from the committee appointed to report the unfinished business of the last session of the Council, made the following report:

"The committee report as the unfinished business of the Council, the resolution offered by Mr. French for amending the *tenth* section of the *second* part of the constitution of the state, which requires the return of ballots given for Governor, Lieutenant Governor, and Treasurer of the state.

2. The resolution, offered by Mr. Newell, for amending the constitution so as to give the election of Brigadier Generals to the officers of the brigade.

3. The resolution of Mr. Hibbard, to abolish the last clause of the twenty sixth section of the second part of the constitution, excluding officers holding their appointments under the authority of Congress, from holding offices under this state.

4. The report of the committee on the resolution of Mr. Starr for an amendment of the constitution, so as to give more permanency to the office of Judges of the Supreme Court.

5. A resolution, offered by Mr. Pratt, for calling a convention, to be composed of one member from each town.

6. A resolution, offered by Mr. Pratt, for the appointment of a committee of three members, to prepare an address to the people of the state.

7. A resolution, offered by Mr. Allen, for the appointment of a committee of three members, to re-draft the amendments proposed by the Council of Censors."

On motion of Mr. Newell, the Council took under consideration a resolution introduced by him on the 28th day of October, 1841, which is as follows:

Resolved, That the Council of Censors deem it expedient

to inquire into the propriety of so altering the provision of the constitution, making it the duty of the Legislature to appoint Brigadier Generals, providing that such officer shall be elected by the officers of the brigade.

Which resolution was referred to the committee of the whole.

The Council went into committee of the whole, on said resolution, Mr. Pratt in the chair.

The committee of the whole, having had said resolution under consideration, reported, that they had passed the following resolution:

Resolved, That the committee of the whole recommend to the Council of Censors not to make the alteration proposed in the said resolution introduced by Mr. Newell.

And the question, shall the report of the committee of the whole be adopted? having been taken, was decided in the affirmative.

So the Council resolved that it was inexpedient to make any alteration in the constitution relating to the election of Brigadier Generals.

Mr. Carpenter introduced the following resolution.

Resolved, That the legislative committee be directed to examine the laws passed by the legislature at their session in 1841, and report thereon.

Which was read and passed.

Mr. French, from the executive committee, made the following report.

"*To the Council of Censors now in session;*

Your committee, who were directed 'to inquire whether the executive has assumed or exercised other or greater powers than the constitution allows,' respectfully report, that they have had the same under consideration and that they have discovered nothing which, to them, appears to be an infraction of the constitution or that requires the animadversion of this Council."

And the question, shall the said report be adopted? having been taken, was decided in the affirmative.

On motion of Mr. Allen,

Ordered, That a member be appointed on the committee to whom was referred a resolution proposing an amendment of the tenth section of the second part of the constitution, in the place of Mr. Reed, who is absent.

The President appointed Mr. Hibbard to fill such vacancy.

On motion of Mr. Starr, the Council took under consideration the report of the judiciary committee, on the resolution, referred to said committee, recommending an amendment of the constitution, so as to give more permanency to the office of judges of the supreme court, stated on the journal of the 21st of October last, and while said report was under consideration,

The Council adjourned.

Afternoon.

Martin C. Deming, a member of the Council, appeared and took his seat.

The President laid before the Council the following communication:

"*To the Honorable Council of Censors of the State of Vermont now in session:*

The undersigned would represent that he is an inhabitant of Burlington in said state, and that he belongs to school district, No. 14, in said town, and that he has been an inhabitant of said district for the term of seven years, and that the principle of keeping and supporting the schools in said district, during said time, was, to require that each scholar pay the instructer fifty cents during the first week of the winter school, and from twenty five to thirty seven and a half cents during the first week of the summer school; and the undersigned further states, that, in consequence of said tax, numbers of poor children have been deprived of their share of the public school money, although there has been always a surplus in the treasury of said district of from twenty five to one hundred dollars; and, for the support of the above rep-

resentation, your honorable body is referred to the clerk, the Hon. Charles Russell, and F. M. Vansicklen, the present teacher, and to the parents of said scholars.

CALEB RICHARDSON.

Burlington, Feb. 10th, 1842."

Which communication was read and referred to the committee on Taxes and Expenditures.

The Council resumed the consideration of the report of the Judiciary committee, which they had under consideration at the time of their adjournment in the forenoon, which report is as follows:

"The Judiciary committee, to whom was referred the resolution recommending an amendment of the constitution, so as to give more permanency to the office of judges of the supreme court, respectfully report, that, having had said resolution under their consideration, they do not deem it expedient to recommend, at the present time, any alteration of the constitution in that respect."

On the question, shall the report of said committee be adopted? the yeas and nays, having been required by Mr. Allen, were taken, and were as follows:

Those who voted in the affirmative are,

Messrs. Hibbard and Paddock—2.

Those who voted in the negative are,

Messrs. Allen, Birchard, Carpenter, Deming, Farnsworth, French, Mott, Newell, Pratt, and Starr—10.

So it was determined in the negative.

The resolution upon which said report was made was then taken up, and is as follows:

Resolved, That it is expedient so to amend the constitution of this state as to give more permanency to the office of judges of the supreme court.

And the question, shall the resolution pass? having been taken, was decided in the affirmative.

So the resolution passed.

On motion of Mr. Pratt,

Ordered, That said resolution be referred to the Judiciary

committee, with instructions to report an article of amendment of the constitution in accordance with said resolution, leaving, in their report, a blank for the term of years during which the judges of the supreme court shall hold their offices.

Mr. Hibbard, from the committee to whom was referred a resolution for amending the constitution so as to dispense with having the ballots for governor, lieutenant governor, and treasurer forwarded to the General Assembly, reported, that, in the opinion of said committee, it is inexpedient to adopt the resolution.

And the question, shall the report of said committee be adopted? having been taken, was decided in the negative.

The resolution, upon which said report was made, was then taken under consideration, and is as follows:

Resolved, That a committee of three be appointed to present an article of amendment to the tenth section of the second part of the constitution of this state, so that the certificate of the presiding officer, as to the number of votes given for governor, lieutenant governor and treasurer, shall be sufficient, without forwarding the ballots to the General Assembly, as is now required by said tenth section.

And the question, shall the resolution pass? having been taken, was decided in the affirmative.

So the resolution passed.

On motion of Mr. Newell,

Ordered, That said resolution be referred to the same committee, with instructions to report an article in amendment of said tenth section of the constitution, in accordance with said resolution.

On motion of Mr. Pratt,

The Council adjourned.

FRIDAY, Feb. 11, 1842.

Prayer by the Rev. Mr. Converse.

The journal was read by the secretary..

Mr. Starr, from the Judiciary committee, to whom was re-

ferred a resolution for the amendment of the constitution so as to give more permanency to the office of judges of the supreme court, with instructions to report an article of amendment in accordance with the principle of said resolution, reported the following article of amendment.

"The judges of the supreme court of this state shall hereafter be chosen by the General Assembly for the term of years, during which period they may be removed from office at any time by impeachment, or by a joint resolution of the Senate and House of Representatives, to be passed by not less than two thirds of each house voting in favor of such removal."

Mr. Allen moved to fill the blank in said article, preceding the word "years," with the word *fifteen.*

And the question, shall said amendment be adopted? having been taken, was decided in the negative.

Mr. Paddock moved to fill said blank with the word *ten.*

And on the question, shall said amendment be adopted? the yeas and nays having been required by Mr. Pratt, were taken, and were as follows:

Those who voted in the affirmative are,

Messrs. Allen, Farnsworth and Paddock—3.

Those who voted in the negative are,

Messrs. Birchard, Carpenter, Deming, French, Hibbard, Mott, Newell, Pratt and Starr—9.

So it was determined in the negative.

Mr. French moved to fill said blank with the word *seven.*

And on the question, shall said amendment be adopted? the yeas and nays having been required by Mr. Allen, were taken, and were as follows:

Those who voted in the affirmative are,

Messrs. Allen, Birchard, Farnsworth, French, Mott, Newell, Paddock, Pratt and Starr—9.

Those who voted in the negative are

Messrs. Carpenter, Deming and Hibbard—3.

So it was determined in the affirmative.

Mr. Pratt moved to amend the said proposed article of

amendment of the constitution by adding thereto the following words:

"And that the said judges be ineligible to any other office in the gift of the people, or legislature of this state, during the time they respectively hold the office of judge, and for one year thereafter."

Mr. Allen moved to amend said amendment by striking out the following words: "and for one year thereafter."

On motion of Mr. Pratt,

Ordered, That said article of amendment, and the proposed amendments thereto, be laid on the table.

Mr. Deming, from the committee on Taxes and Expenditures, made the following report:

"Your committee on Taxes and Expenditures, who were instructed to inquire 'whether the public taxes have been justly laid and collected in all parts of the state, whether the public moneys have been honestly disbursed and economically expended, and whether the revenue laws have been duly executed,' having had the subject under consideration, beg leave to submit the following report:

That the inquiry 'whether the public taxes have been justly laid in all parts of the state,' would seem to involve an investigation into the revenue laws themselves, or, at least, into the proper execution of those laws; for, if we take it for granted that those laws are so framed that, under a just and enlightened administration of them, the burdens of taxation would bear equally in all parts of the state, still, it is obvious that, under an unjust or unwise administration of them, the taxes might bear very unequally in different parts of the state, and also upon different individuals of the same county, or even of the same town. And the committee conceive that, under the best and wisest system of revenue laws, the difficulties of their execution are such that taxes *must* bear unequally upon the different members of the community, and especially so, where the laws are executed by as many different boards of assessors as there are towns in the state. The committee, therefore, think it unwise, if not impractica-

ble, to attempt such an investigation. Nor do the committee conceive that there is the least probability that such taxes as are authorized by the legislature will be assessed upon the people contrary to the provisions of existing laws, so long as every tax payer in the state has, within his reach, ample means of information whether the taxes he is called on to pay are legal or illegal. The committee, therefore, in the absence of all complaints, dismiss this branch of the subject with the single remark, that the Treasurer of the state has full authority to enforce the collection of all taxes and other sums of money due to the state, and that the legislature have power to investigate the matter, and call him to an account for any delinquency in the discharge of his official duties.

The second branch of the inquiry, embraced in the instructions to the committee, involves an investigation into the accounts and doings of all disbursing officers of the state, and also, into all expenditures of the government for the last seven years, an investigation which would require much time and a great amount of labor, to enable the committee to arrive at any just conclusions. It would also be attended with great expense, as the committee would be under the necessity of exercising the power to send for persons, papers, and records, to an almost indefinite extent, in the prosecution of the investigation. And, as the Council have no power to correct abuses, if any should be discovered, the committee do not conceive that the benefit of the investigation would warrant the labor and expense with which its prosecution would be attended.

In fine, the committee are the less inclined to go into so laborious and expensive an investigation, because the whole subject of it is within the legitimate province of the legislature, who can attend to it annually, and apply the necessary corrective whenever they find abuses in this important branch of the public service.

The committee, therefore, request to be discharged from the further consideration of the subject."

Which report was accepted.

And the question, shall said committee be discharged from the further consideration of the subject of said report? having been taken, was decided in the affirmative.

So the said committee were discharged from the further consideration of said subject.

Mr. Deming, from the committee on Taxes and Expenditures, to whom was referred the communication of Caleb Richardson, stated on the journal of yesterday, reported, "that the subject matter of said communication does not, in the opinion of said committee, come within the scope of the constitutional duties of the Council of Censors."

Which report was accepted.

Mr. Pratt, from the legislative committee, who were instructed to inquire "whether the legislative branch of the government have performed their duty as guardians of the people, or assumed to themselves, or exercised other or greater powers than they are entitled to by the constitution," made the following report:

"Your legislative committee report, That they have examined the doings of the legislative branch of the government, so far as they have been able, and they are not aware that the legislature have exercised other or greater powers than they were entitled to by the constitution of this state, except in passing the act for regulating and governing the militia of this state, and in passing the act in addition to the same. And your committee believe that the legislature have, in other respects, performed their duty as guardians of the people, and that they have not, except in the above cases, exercised other or greater powers than they were entitled to by the constitution."

Which report was accepted.

On motion of Mr. Pratt, the Council took under consideration the following resolution, introduced by him on the 28th day of October last:

Resolved, two thirds of this Council concurring herein, that it is expedient to call a convention to meet at the state house in Montpelier on the ———— day of January,

A. D. 1843, for the purpose of taking into consideration the proposed amendments to the constitution which have been or may be agreed upon by this Council. The convention to consist of one member from each organized town in this state.

Mr. Allen moved to strike out the words, "the convention to consist of one member from each organized town in this state," and insert the following:

"Which convention shall be composed of delegates as follows: each organized town shall be entitled to one; each organized town having a population of fourteen hundred inhabitants shall be entitled to two; each organized town having a population of twenty five hundred inhabitants shall be entitled to three, and each organized town having a population of thirty five hundred inhabitants, or over, shall be entitled to four. The population of each town to be ascertained by the census of 1840."

And while said amendment was under consideration,

On motion of Mr. Mott,

The Council adjourned.

Afternoon.

The Council resumed the consideration of the resolution and amendment thereto, relating to calling a convention to adopt proposed amendments to the constitution, which they had under consideration at the time of their adjournment in the forenoon.

And, on the question, shall the proposed amendment be adopted? the yeas and nays having been required by Mr. Hibbard, were taken, and were as follows:

Those who voted in the affirmative are,

Messrs. Allen, Birchard, Deming, Farnsworth, Newell, Paddock, Pratt and Starr—8.

Those who voted in the negative are,

Messrs. Carpenter, French, Hibbard and Mott—4.

So it was decided in the affirmative, and the said amendment was adopted.

On motion of Mr. Paddock,

Ordered, That said resolution, as amended, be laid upon the table.

The Council took under consideration the article of proposed amendment of the constitution relating to the election of judges of the supreme court, and the tenure of their office, and the proposed amendments thereto, stated on the journal of this forenoon.

Mr. Pratt asked leave to withdraw the amendment to said article, offered by him, stated on the journal of this forenoon, and thereupon leave was granted to him to withdraw his said amendment, and the said amendment was withdrawn.

Mr. Pratt then moved to amend said article of amendment by adding thereto the following words: "And that the said Judges be ineligible to any other office in the gift of the people or Legislature of this state, during the term for which they were elected, unless they resign the office of Judge; in which case they shall be ineligible, as above, for one year from the date of their resignation."

And on the question, shall the said amendment to said article of amendment to the constitution be adopted? the yeas and nays, having been required by Mr. Pratt, were taken, and were as follows:

Those who voted in the affirmative are,

Messrs. Birchard, Deming, Hibbard and Pratt—4.

Those who voted in the negative are,

Messrs. Allen, Carpenter, Farnsworth, French, Mott, Newell, Paddock and Starr—8.

So it was determined in the negative, and the said amendment to the said proposed amendment of the constitution was rejected.

The question, shall the said article of amendment to the constitution be adopted? was then taken, and decided in the affirmative.

So the said article of amendment of the constitution was adopted.

Mr. Hibbard, from the committee to whom was referred

the resolution relating to an amendment of the tenth section of the second part of the constitution, with instructions to report an article of amendment of the constitution, in accordance with said resolution, reported the following article of amendment, viz:

"The freemen of each town in this state shall, on the day of election for choosing representatives to the General Assembly, bring in their votes for Governor, with his name fairly written, to the constable, who shall make a certificate of the number of votes for each candidate, of which a record shall be made in the town clerk's office, which certificate shall be signed by such constable, and by him sealed up and superscribed, with the name of the town in which said votes were given, with these words, 'Certificate of votes for Governor,' and delivered to some representative chosen to attend the General Assembly, instead of delivering the *votes* as required by the tenth section of the second part of the constitution of this state.

The Lieutenant Governor and Treasurer shall be chosen in the manner above directed."

And the question, shall the said article of amendment be adopted? having been taken, was decided in the affirmative.

So the said article of amendment was adopted.

On motion of Mr. Birchard,

The Council took under consideration the resolution for calling a convention, to consider proposed amendments to the constitution of this state.

Mr. Pratt moved to fill the blank, preceding the words "day of January" with the words "first Wednes," so that, as amended, the time for holding said Convention will be *on the first Wednesday of January, A. D.* 1843.

And the question, shall the said amendment be adopted? having been taken, was decided in the affirmative.

So the said amendment was adopted.

On the question, shall the resolution, as amended, pass? the yeas and nays, having been required by Mr. Hibbard, were taken, and were as follows:—

Those who voted in the affirmative are,

Messrs. Allen, Birchard, Carpenter, Deming, Farnsworth, Newell, Pratt and Starr—8.

Those who voted in the negative are,

Messrs. French, Hibbard, Mott and Paddock—4.

So it was determined in the negative; the constitution of the state requiring a vote of two thirds of the Council, to pass such resolution.

Mr. Pratt moved to reconsider the vote of the Council adopting the amendment, proposed by Mr. Allen, to the resolution for calling a convention to consider amendments to the constitution of this state, stated on the journal of this forenoon.

On motion of Mr. Pratt,

Ordered, That said motion to reconsider be laid on the table.

The President laid before the Council a communication from Mr. Reed, relating to time spent by him in making the journal of the last session of the Council, after the adjournment of said last session.

Which was referred to the committee on debentures.

On motion of Mr. Allen,

The Council adjourned.

SATURDAY, Feb. 12, 1842.

Prayer by the Rev. Mr. Converse.

The journal was read by the secretary.

On motion of Mr. Paddock,

Ordered, That the vote of yesterday, rejecting a resolution for a convention to consider proposed amendments to the constitution, be reconsidered.

And the question recurred, shall the resolution, as amended, pass?

On this question, the yeas and nays, having been required by Mr. Allen, were taken, and were as follows:

Those who voted in the affirmative are,

Messrs. Allen, Birchard, Carpenter, Farnsworth, Newell, Paddock and Starr—7.

Those who voted in the negative are,

Messrs. Deming, French, Hibbard, Mott and Pratt—5.

So it was determined in the negative; a majority of two thirds of the Council not having voted in the affirmative.

Mr. Pratt moved to reconsider the vote of yesterday, adopting the amendment of Mr. Allen to said resolution, stated on the journal of yesterday.

And, on this question, the yeas and nays, having been required by Mr. Pratt, were taken, and were as follows:

Those who voted in the affirmative are,

Messrs. Allen, Carpenter, Deming, Farnsworth, French, Hibbard, Mott, Pratt and Starr—9.

Those who voted in the negative are,

Messrs. Birchard, Newell and Paddock—3.

Mr. Allen asked leave to withdraw the said amendment proposed by him to said resolution, and leave was granted him to withdraw said amendment, and the said amendment was withdrawn.

The Council took under consideration the original resolution which is as follows:

Resolved, two thirds of the Council concurring herein, that it is expedient to call a convention, to meet at the state house in Montpelier on the first Wednesday of January, A. D. 1843, for the purpose of taking into consideration the proposed amendments to the constitution, which have been, or may be agreed on by this Council. The convention to consist of one member from each organized town in this state.

And, on the question, shall the resolution pass? the yeas and nays, having been required by Mr. Allen, were taken, and were as follows,

Those who voted in the affirmative are,

Messrs. Allen, Birchard, Carpenter, Deming, Farnsworth, French, Hibbard, Mott, Pratt, and Starr—10.

Those who voted in the negative are,

Messrs. Newell and Paddock—2.

So it was determined in the affirmative.

On motion of Mr. Birchard,

The Council took under consideration the article of proposed amendment of the constitution abolishing the forty third section, and providing for future proposals of amendment of the constitution by the senate, stated on the journal of the 25th of October last, and while the said article was under consideration,

On motion of Mr. Pratt,

The council adjourned.

AFTERNOON.

The council resumed the consideration of the article of proposed amendment of the constitution, abolishing the forty third section, &c. which they had under consideration at the time of their adjournment in the forenoon.

And, on the question, shall the said article be adopted? the yeas and nays, having been required by Mr. Allen, were taken, and were as follows:

Those who voted in the affirmative are,

Messrs. Birchard, Carpenter, Deming, Newell, and Pratt —5.

Those who voted in the negative are,

Messrs. Allen, Farnsworth, French, Hibbard, Mott, Paddock, and Starr—7.

So it was determined in the negative, and the said article was rejected.

On motion of Mr. Starr,

Ordered, that a committee of two be appointed to draft an ordinance, for a convention, to take into consideration the amendments of the constitution to be proposed by the Council of Censors.

The President announced the appointment of Mr. Hibbard and Mr. Newell as such committee.

On motion of Mr. Deming,

The Council adjourned.

MONDAY, Feb. 14, 1842.

Prayer by the Rev. Mr. Sampson.

The journal was read by the secretary.

Mr. Pratt introduced the following resolution :

Resolved, That, Mr. Allen, with the secretary, be a committee to procure *seven hundred and fifty copies* of the journal of this Council to be printed, and that two hundred and fifty copies thereof be delivered to the sergeant at arms of this state, to be distributed among the members of the convention, when assembled, and that the remaining copies be delivered to the sheriffs of the several counties, to be by them distributed as follows;—to the Governor, ten copies; to the Lieutenant Governor, five copies; to the secretary of state, ten copies; to the state librarian, forty copies; to the clerk of the House of Representatives, ten copies; to the secretary of the Senate, five copies; to the secretary of civil and military affairs, five copies; to the late Governors and Lieutenant Governors and to the judges of the supreme court and to the town clerk of each organized town in this state, one copy each, and to each member of this Council, ten copies.

Which was read and passed.

Mr. Newell, from the committee appointed to draft an ordinance for a convention, reported the following

ORDINANCE.

STATE OF VERMONT, }
IN COUNCIL OF CENSORS, Feb. 14, A. D. 1842. }

The Council, having agreed to propose certain amendments to the constitution of this state, and having determined to call a convention to consider such amendments;—

Therefore, It is ordered by said Council, that a convention of the people of the state of Vermont shall meet at the State House in Montpelier, on the first Wednesday of January, A. D. 1843, to consider of the amendments to the constitution proposed by

this council and to adopt the same, or such parts thereof as the said convention shall judge will be most conducive to the good government, peace and happiness of the people of this state. And for the purpose of electing delegates to attend said convention, the first constable, or, in his absence, the town clerk, or in his absence, one of the selectmen of each town in this state, entitled to send a representative to the General Assembly, without further order, shall set up a notification, at such place or places as shall have been appointed for notifying town meetings in such town, at least ten days before the third Tuesday of November next, warning the freemen of their respective towns to meet on the third Tuesday of November, A. D. 1842, at one o'clock in the afternoon, at the place where the last freemen's meeting was held in such town, for the purpose of electing delegates to represent the freemen of said town in said convention, at the opening of which meeting this order shall be publicly read.

And the first constable, or, in his absence or disability, the town clerk, or some one of the selectmen of each town, or a justice of the peace, shall preside at such meeting, whose duty it shall be to call on the freemen of such town, from time to time, for the space of four hours, to give in their votes for such delegate, which votes shall be given and received in the same manner and under the same regulations as is, by law, provided in the case of electing representatives to the General Assembly;—and, at the expiration of which time, the votes so taken shall, by said presiding officer, with the assistance of the selectmen and justices of the peace in such town, be sorted and counted, and if no person shall have a majority of all the votes, the said presiding officer shall notify the same, and again call upon the freemen as aforesaid, giving a reasonable time for receiving such votes, until an election shall be made. And after an election shall have been made, as aforesaid, the presiding officer of said meeting shall deliver to the person elected, a certificate of the following tenor, to wit:

STATE OF VERMONT, } At a freemen's meeting, warned
} and holden at in
pursuance of an order of the Council of Censors, on the third Tuesday of November, A. D. 1842, A. B. was elected a delegate, by a majority of the freemen present, to represent the inhabitants of in Convention, to be holden on the first Wednesday of January, A. D. 1843, for the purpose of taking into consideration certain amendments to the constitution of this state, proposed by said Council of Censors, in February last.

Given under my hand at this day of A. D. 1842.

C. D. *first constable*, or, *presiding officer*.

Which certificate shall be a sufficient credential of such person's election.

Which ordinance was read and adopted.

On motion of Mr. Allen,

Ordered, That said ordinance be signed by the President and Secretary.

Mr. Hibbard, from the committee to whom was referred a resolution introduced by him, stated on the journal of the twenty first of October last, relating to abolishing the twenty sixth section of the second part of the constitution, reported the following article of amendment, viz:

The twenty sixth section of the second part of the constitution of this state shall not be construed to prevent any post master from holding the office of justice of the peace.

And on the question, shall the said article be adopted, the yeas and nays, having been required by Mr. Newell, were taken, and were as follows:

Those who voted in the affirmative are,

Messrs. French and Hibbard—2.

Those who voted in the negative are,

Messrs. Allen, Birchard, Carpenter, Farnsworth, Mott, Newell, Paddock and Pratt—8.

So the said article was rejected.

On motion of Mr. Newell,

Mr. Starr had leave of absence from and after to-day.

On motion of Mr. Pratt,

Ordered, That a committee of two be appointed to make up the debentures of the Council of Censors.

The President announced as such committee,

Messrs. Pratt and French.

Mr. Allen, from the committee appointed to draft an address to the people of this state, reported the following

ADDRESS.

To the Freemen of the State of Vermont:

The Council of Censors, chosen on the last Wednesday of March, 1841, pursuant to the forty third section of the constitution of the state, about to close their official labors, present to the public the result of their deliberations in relation to the various subjects which have occupied their attention during the past year.

Among other things, it is made the duty of the Council to inquire whether the constitution has been preserved inviolate, in every part, during the last septenary; whether the legislative and executive branches of the government have performed their duty as guardians of the people, or assumed to themselves or exercised other or greater powers than they are entitled to by the constitution; whether the public taxes have been justly laid and collected in all parts of the state; in what manner the public money has been disposed of, and whether the laws have been duly executed; and they are empowered, also, to propose alterations and amendments of the constitution, and to call a convention to consider such alterations and amendments as the Council may deem it expedient to propose.

We have examined the various laws upon the statute book, and believe that, with few exceptions, they have been enacted with a due regard to the provisions and limitations contained in the constitution. Duty, however, constrained us to call the attention of the legislature to that portion of the militia law which related to the government of the militia when not in actual service, and to pronounce that part of it, which empowered the officers of the militia to impose and enforce the collection of fines and penalties by law-martial, and without the right of trial by jury, to be in contravention of the seventeenth section of the first chapter of the constitution. That section declares that "no person in this state can, in any case, be subjected to law martial, or to any penalties or pains by virtue of that law, except those employed in the army and the militia in actual service." Believing that the law, authorizing the imposition of fines by courts-martial for military neglects and offences, at ordinary militia trainings, was directly in violation of the above recited article of the constitution, we respectfully recommended to the legislature its repeal or modification, and we are gratified to find that the last legislature has so far amended this law as to repeal its objectionable parts, and to give the accused a trial before the ordinary civil tribunals.

The Council have directed their earnest consideration to the tenure of office now given to the state senators. On viewing the several departments of legislation, and the purpose of each branch in its action, as a law-making power, we are struck with the impropriety presented by the relative periods for which the delegates to the several branches are respectively appointed. With the present mode of election and limitation of their services, it is but little better than giving the whole legislative power to a single body of men. They are all elected by the people at the same time, and for the same period. They go into office on the same day, and their public services terminate at the end of the year. As the members of the House of Representatives, come from every town in the state, and are elected for one session only, it cannot,

from the very nature of the case, be otherwise than that there should be, in many of them, a want of experience in legislation. In so numerous a body there will always be a liability to high excitements, and, as a consequence, to inconsiderate legislation. And, whenever an improper excitement, of a political cast, arises or exists amongst the people, it will be communicated to, and carried out by, the legislators in their official transactions.

The object of a Senate is to establish a more experienced, deliberative, and independent body than the House. Such a body, in the process of law-making, experience has shown to be absolutely necessary. But, as Senators and members of the House are now elected for the same term of time, and as the Senate are a less numerous body, and dependent, in some measure, for a re-election, upon the representatives of their respective counties, who may be presumed to exercise an influence over their elections, it is believed that they cannot possess the independence requisite to a proper revision of the proceedings of the House of Representatives.

In order to secure this important object, the Council of Censors have recommended an amendment of the constitution, by giving to the Senators an official term of three years, and so classifying them as to have one third go out of office at the expiration of each year. We consider this the more necessary, inasmuch as the executive department has no other power over the enactments of law, in his duty of revision, than to return them to the body in which they originated, with his objections, after which, notwithstanding those objections, they may become the law of the land by a vote of a majority, only, of each house.

The Senate ought to possess a degree of permanency and stability of office, in order to prevent the necessity of the intervention of the executive veto, a power always viewed by the people with jealousy, and its exercise generally marked with disapprobation. By giving to the Senators a term of three years, you place them beyond the influence of the sudden excitements of the day, and yet leave them sufficiently

responsible to their constituents. It is believed that, in selecting candidates for that office for the term of three years, more care will be taken to secure men worthy of the trust, than when the selection is made to fill the office but for the term of one year.

By a division of the Senate into three classes, by which a portion only will go out each year, there will remain a majority of old members, by whose experience the new ones will be greatly benefitted, and the whole together will form a salutary check upon the more numerous branch of the legislature. Besides, the Senator for three years will find a greater obligation resting upon himself to become acquainted with the duties of his station, than if he were appointed but for a single session, of four or five weeks. As his services and attainments will be known and appreciated by his constituents, so will he be stimulated by a laudable ambition to qualify himself for a faithful and honorable discharge of the important duties assigned him. Thus will the conservative power of the Senate be made to operate upon the government, and thus will that degree of stability in the law be preserved, so highly necessary in securing the liberty and prosperity of the people.

The Council have also had in consideration the Judicial system of the state. They have much to admire in regard to the organization of this system. The plan of combining the supreme with the county courts for the trial of issues of fact, so far as to associate a judge of the supreme court with the judges of the county court, has proved by experience to fulfil every purpose which its most ardent advocates could have anticipated. The great improvements which the adoption of this system has introduced in the administration of justice must be apparent to all who will compare it with the system by which it was preceded. But this Council believe that the time has arrived when an additional advantage might be obtained by giving to the judges of the supreme court a greater degree of independence. This should be done by enlarging the tenure of their office.

As this is a subject fixed by the constitution, and cannot, like the organization of courts, come under the control of legislative enactment, it necessarily devolves upon us to recommend such an improvement. On the best reflection we can give the subject, connected with the present improvement of the age, we cannot do our duty to the state, without, at this time, recommending an amendment of the constitution so as to give to the judges an office to be held by them seven years from the date of their respective elections. This proposition has been brought into favor with the Council by considerations, some of which they will mention.

In no state in the union, with the exception of Vermont and Rhode Island, are the judges of the highest court elected annually.

The appointment being made by the joint ballot of the two houses of our legislature, it becomes highly necessary to place the supreme judges beyond the encroachments of that body. We cannot expect an impartial and secure administration of the laws without conferring upon the judges an independence which can never be realized under appointments annually made by the legislature.

The judicial power should be separated so far from the legislative and executive, as that neither should exercise the duties appertaining to the other. Each should be independent of the other. Neither should encroach upon the other; and, as the judicial is the weaker body, it should, in the exercise of its functions, be rendered as independent of the other as circumstances will admit.

It is an attribute of the supreme judicial tribunals to judge of the constitutionality of all laws passed by the legislature, when properly brought in review before them. They are always to regard the constitution as the fundamental law of the land, and superior to any legislative enactment. Consequently, if the law is not warranted by, or is repugnant to, the provisions of the constitution, as is sometimes the case, the judges are bound to pronounce it inoperative and void. Can it be expected that judges, dependent every year upon

the Legislature for their appointment, will possess the necessary firmness to judge over the heads of that body, and declare their enactments void? The observation of every one, who has attended to this subject, proves that the contrary effect is the result.

This Council, then, are fully of the opinion that, to secure talent, experience, fidelity and independence, the tenure of the office of the judges should be enlarged.

Yet, it may happen that the judge may prove himself to be incompetent, or of a temperament unsuitable for so high a trust, and still not subject himself to impeachment,—a mode of trial extremely delicate, and one which would be resorted to with great reluctance. The Council have, therefore, recommended the principle of removal by resolution, on a vote of two thirds of each of the houses of the Legislature. It is believed that this will give a sufficient power over that judge who proves to the people, by his official conduct, that he is unworthy of their confidence.

The subject of altering the time for holding *freemen's meeting*, and the sessions of the Legislature, has been brought to our notice by the urgent solicitations of individuals from various parts of the state. The time for holding freemen's meeting is alleged to be too early in the season, especially for the accommodation of the farmer, as it most generally arrives before he has completed his harvest, and the early day of election not unfrequently prevents a full attendance of the freemen at the polls.

As a remedy for these inconveniences, we have seen fit to propose to the people, for their consideration, the second Tuesday of October for the holding of freemen's meeting, and the first Thursday of January following for the convening of the Legislature, giving to that body the power to appoint, by law, a different day, for the meeting of the Legislature, if deemed advisable. Whether this is called for, is a question for your consideration and decision.

The manner of appointment of the officers of the county has been urged upon the Council from various parts of the

state. Strong objections are made to the present mode of electing these local officers by the Legislature. The candidates cannot be supposed to be personally known to but few of that body. Consequently, imposition and intrigue have too frequently had more to do than merit in the appointment of these officers. The Council, therefore, have thought it advisable to give these appointments directly to the people, who will be best acquainted with the qualifications of those who are to serve them, and will be better enabled to select, and as well inclined to appoint, the best men to office, as the body whose duty it now is to make these appointments.

As, in a free government, all appointments to office, as well as all laws, proceed directly or indirectly from the people, it cannot well be denied that, as far as is practicable, these powers should be retained by them. The Council, therefore, recommend that the election of sheriff and high-bailiff be given to the freemen of the county. These are executive officers of the county, clothed, in the execution of their duties, with the power to control, not only the property, but the persons of individuals. Their authority is confined to and pervades the county, and their appointment ought, therefore, not to be taken from the people of the county.

In regard to the appointment of justices of the peace, by the freemen of their respective towns, although the office is for the county, yet, as their services are mostly confined to the town in which they reside; and inasmuch as, in the one case, they will be personally known to every elector, and in the other (if elected by the county) will be known to but few, it is the opinion of the Council that the whole public interest will be better subserved by giving the appointment of the justices of the peace to the freemen of the town in which they reside, than in any other way.

We have, therefore, proposed an amendment of the constitution giving the appointment of this officer directly to the freemen of the town; and we have likewise recommended that the number of justices, to be appointed for each town,

be somewhat in proportion to the number of inhabitants of such town—no one town being allowed more than twelve.

We have proposed an amendment to the tenth section of the second chapter of the constitution, altering the manner of making returns of votes given for Governor, Lieutenant Governor, and Treasurer, authorizing the several presiding officers over the several freemen's meetings in this state to forward a certificate of the number of votes given, without transmitting the ballots themselves.

Under the present mode, considerable inconvenience has qeen experienced, while it is not known that any benefit has been derived. The certificate of the officer alone has been all the evidence required by the canvassing committee when ascertaining the number of votes cast for the respective candidates.

The subject of abolishing the Council of Censors, and giving the power to propose amendments of the constitution to one or both branches of the Legislature, has been presented to the deliberate consideration of this Council. It has been urged that it would be an important saving of expense to the state, and that the other duties of the Council, as now prescribed, have, by the progress of improvement in the legislative and judicial departments of the government, become unimportant and useless. But, after a full discussion of this subject we have not judged it expedient to recommend the abolishing of that body. We have reason to apprehend that if the power to propose amendments of the constitution were exercised by one or both branches of the Legislature, there could be no saving of expense, considering the time that would thus be occupied by those bodies ;—that party politics would too often mix with the discussions, and influence the decisions in relation to the proposals of amendment.

The Council have seen fit to place before you, for your consideration and decision, one other proposal of amendment to the constitution. This relates to the forty third section of the second part of that instrument. We propose so to alter and amend that section as to give directly to the people

the adoption or rejection of such recommendation of amendments to the constitution as shall be proposed by the Council of Censors.

This measure will place the question of amendment before each individual, who will be dependent upon no one for the expression of his opinions. It commends itself to your favorable consideration, because it is in strict conformity with the first principles of a republican government. The constitution is the ground-work of the law of the land, and, as such, should proceed directly from those who are to be bound by it. This is the charter by which all the departments of the government are limited, and which declares, thus far shalt thou go and no farther. The people have the right to alter or amend the constitution for the promotion of their welfare, and that right is inalienable. A right so vitally important, which can with so little inconvenience be exercised by the freemen themselves, should never be entrusted to others.

The power to propose amendments must necessarily be delegated to some selected body. In the different states, different rules prevail. In some, it is given to the legislature, under certain restrictions; in others, to a convention elected by the people; in ours, to a Council of Censors, elected once in seven years. But the power of adopting or rejecting, ought always to be vested in the freemen themselves, and an opportunity is now offered to the people of Vermont to assert and secure for themselves and their posterity, this most invaluable and inalienable right.

In resolving to call a Convention, we have acted upon the full belief that the rights and interests of our fellow citizens will be advanced by the adoption of these amendments.

The several proposals of amendment are so framed as to leave it in the power of the convention to adopt any one or more of them, without adopting the others.

And we submit to our fellow citizens the result of our labors with full assurance of your candid and impartial examination, and with entire confidence that your decision upon the sev-

eral amendments proposed, will be such as to promote the welfare and prosperity of the state.

Which was read and adopted.

On motion of Mr. Pratt,

The Council adjourned.

Afternoon.

Mr. Pratt, from the committee appointed to revise and redraft the articles and sections of proposed amendment of the constitution, and to report the articles of the present constitution proposed to be amended, altered or abolished, made the following report:

ARTICLES

Of amendment, alteration, and addition to the Constitution of the State of Vermont, proposed by the Council of Censors, at their session in February, A. D. 1842.

Article 1. The general state election shall hereafter be held on the second Tuesday of October, annually, forever. And the Legislature shall meet on the first Thursday of January, in the year of our Lord one thousand eight hundred and forty four, and on the first Thursday of January in every year thereafter, unless they shall, by law, appoint a different day.

Article 2. The Governor, Lieutenant Governor, Treasurer, Secretary of State, Judges of the Supreme, County and Probate Courts, Sheriffs, and High Bailiffs, shall hold their offices until others are elected and qualified in their stead.

Article 3. The Senate shall be composed of thirty Senators, to be of the freemen of the county for which they

are elected, respectively, who shall have attained to the age of thirty years, and to be elected for three years, by the freemen of each county, respectively. Immediately after they shall be assembled, in consequence of the first election under this constitution, as amended, they shall be divided equally into three classes. The seats of the Senators of the first class, shall be vacated at the expiration of the first year, of the second class, at the expiration of the second year, and of the third class, at the expiration of the third year; so that one third may be chosen every year. And if vacancies happen by resignation, or otherwise, during the electoral year, the Governor may make temporary appointments until the next election, when the vacancies may be filled by the freemen.

Article 4. The Senators shall be apportioned to the several counties, according to the population, as ascertained by the census taken under the authority of congress, A. D. 1840, regard being always had, in such apportionment, to the counties having the greatest fraction, always giving to each county one Senator, at least. The legislature shall make a new apportionment of the Senators to the several counties, after the taking of each census of the United States, or after a census, taken for the purpose of such apportionment, by order of the government of this state, always regarding the above provisions in this article.

Article 5. Sheriffs and High Bailiffs shall be elected by the freemen of their respective counties, and shall hold their offices for the term of one year. And shall give bonds in such manner and amount as the Legislature shall direct.

Article 6. The election of the several officers, mentioned in the preceding article, shall be made at the times, and in the manner now directed in the constitution for the choice of Senators. And the presiding officer, after the votes shall have been taken, sorted and counted, shall make a certificate

of the names of each person voted for, with the number of votes given for each, annexed to his name, a record of which shall be made in the town clerk's office; and shall seal up said certificate, and shall write on the same the name of the town, with the words, "Certificate of votes for Sheriff," or "Certificate of votes for High Bailiff," as the case may be, and shall hand such certificate to some representative chosen to attend the General Assembly. And, at the opening of the General Assembly, there shall be a committee appointed out of the same, who shall be sworn, and whose duty it shall be to examine such certificates and ascertain the number of votes given for each candidate; and the highest in nomination for the respective offices shall be declared duly elected, and shall be commissioned by the Governor. And, if two or more persons, designated for any one such office, shall have received an equal number of votes, the General Assembly shall elect one of them to such office.

Article 7. Justices of the Peace, in each town, shall be annually elected by the freemen thereof, and, until otherwise directed, by law, their election shall be made on the day and in the manner now directed for the choice of representatives to the General Assembly.

No town, having less than one thousand inhabitants, by the then last census of the United States, shall have more than *five* justices of the peace; and no town having less than fifteen hundred inhabitants shall have more than *seven* justices of the peace; and no town shall have more than *twelve* justices of the peace. Any town may, at their annual March meeting, determine, by vote or resolution, to elect a less number of justices at their next freemen's meeting, than the number above limited.

Justices of the peace shall, in all cases, be elected by a plurality of votes. And it shall be the duty of the town clerk of each town, for the time being, to make a certificat of the names of such persons as shall have been duly elected

to said office, directed to the Governor, who, on receiving such certificate, shall commission such justices.

ARTICLE 8. The Judges of the Supreme Court of this state shall hereafter be chosen, by the General Assembly, for the term of seven years, during which period they may be removed from office, at any time, by impeachment, or by a joint resolution of the Senate and House of Representatives, to be passed by not less than two thirds of each house voting in favor of such removal.

ARTICLE 9. The freemen of each town in this state shall, on the day of election of representatives to the General Assembly, bring in their votes for Governor, with his name fairly written or printed, to the presiding officer of the meeting, who, after the votes shall have been taken, sorted, and counted, shall make a certificate of the names of each person voted for, with the number of votes given for each, annexed to his name, a record of which certificate shall be made in the town clerk's office; and shall seal up said certificate, and write thereon the name of the town, with the words "Certificate of votes for Governor," which certificate he shall hand to some representative elected to attend the General Assembly, instead of sealing up the votes, as required by the tenth section of the constitution of this state. The Lieutenant Governor and Treasurer shall be chosen in the same manner as the Governor.

ARTICLE 10. Whenever two thirds of the constitutional number of any Council of Censors shall propose any amendment, explanation, or addition to the constitution of this state, they shall propose the same directly to the people, for their adoption or rejection, instead of calling a convention therefor, in which case they shall, by an ordinance, to be by them promulgated for that purpose, call upon the freemen of the state, qualified to vote for representatives to the General Assembly, to meet at the place of the last freemen's

meeting in their towns, respectively, on a day and hour to be designated in such ordinance, for the purpose of voting upon the amendments which the Council of Censors shall have proposed. And the articles to be amended, and the amendments proposed, and such articles as are proposed to be added or abolished, shall be promulgated at least six months before the day for such freeman's meeting.

And the Council of Censors shall, in such ordinance, designate the method in which the freemen shall be supplied with ballots, the manner in which their votes shall be expressed, the time, place, and manner of their return, and how, and by whom, the result shall be ascertained and certified to the Governor; and when the result of such balloting shall have been certified to the Governor, or, in his absence or disability, to the Lieutenant Governor, he shall, by proclamation, make the same known to the people. And such article or articles as shall have been adopted by a majority of the freemen voting as aforesaid, he shall cause to be transcribed and certified under his hand and the seal of the state, and deposited in the office of the Secretary of State. And the Secretary of State shall record the same; and they shall thereupon become, and thenceforth be, a part of the constitution of this state, and, as such, binding on the inhabitants thereof forever.

Which articles were severally read.

Whereupon,

The Council resolved, unanimously, to adopt the same as articles of proposed amendment of the constitution of this state, to be submitted to the convention, to be called under an ordinance of this Council, stated on the journal of this forenoon.

Mr. Pratt, from the same committee, also reported, that,

In the first part of the constitution, entitled, "A Declaration of the Rights of the Inhabitants of the State of Vermont," no article is altered, abolished, or superseded, by any of the proposed amendments of this Council of Censors.

In the second part, entitled, "Frame of Government," the following sections are altered, abolished, or superseded, either in whole or in part, viz.—

SECTION 8. The House of Representatives of the freemen of this state shall consist of persons most noted for wisdom and virtue, to be chosen by ballot by the freemen of every town in this state, respectively, on the first Tuesday of September, annually, forever.

SECTION 9. The representatives so chosen, (a majority of whom shall constitute a quorum for transacting any other business than raising a state-tax, for which two thirds of the members elected shall be present,) shall meet on the second Thursday of the succeeding October, and shall be styled, *The General Assembly of the state of Vermont:* they shall have power to choose their speaker, secretary of state, their clerk, and other necessary officers of the house; sit on their own adjournments; prepare bills and enact them into laws; judge of the elections and qualifications of their own members: they may expel members, but not for causes known to their constituents antecedent to their election; they may administer oaths and affirmations in matters depending before them; redress grievances; impeach state criminals; grant charters of incorporation; constitute towns, boroughs, cities, and counties: they may, annually, on their first session after their election, in conjunction with the Council, (or oftener if need be) elect judges of the supreme and several county and probate courts, sheriffs and justices of the peace; and also, with the Council, may elect Major Generals and Brigadier Generals, from time to time, as often as there shall be occasion; and they shall have all other powers necessary for the legislature of a free and sovereign state. But they shall have no power to add to, alter, abolish, or infringe any part of this constitution.

SECTION 10. The supreme executive council of this state shall consist of a Governor, Lieutenant Governor, and twelve

persons, chosen in the following manner, to wit:—the freemen of each town shall, on the day of election for choosing representatives to attend the General Assembly, bring in their votes for Governor, with his name fairly written, to the constable, who shall seal them up, and write on them, "*Votes for Governor*," and deliver them to the representative chosen to attend the General Assembly. And at the opening of the General Assembly there shall be a committee appointed, out of the Council and Assembly, who, after being duly sworn to the faithful discharge of their trust, shall proceed to receive, sort, and count the votes for the Governor, and declare the person who has the major part of the votes, to be Governor for the year ensuing. And if there be no choice made, then the Council and General Assembly, by their joint ballots, shall make choice of a Governor. The Lieutenant Governor and Treasurer shall be chosen in the manner above directed. And each freeman shall give in twelve votes for twelve Councillors, in the same manner, and the twelve highest in nomination shall serve, for the ensuing year, as Councillors.

Section. 43. In order that the freedom of this commonwealth may be preserved inviolate forever, there shall be chosen by ballot, by the freemen of this state, on the last Wednesday in March, in the year one thousand seven hundred and ninty-nine, and on the last Wednesday in March, in every seven years thereafter, thirteen persons, who shall be chosen in the same manner the Council is chosen, except they shall not be out of the Council or General Assembly, to be called *the Council of Censors*, who shall meet together on the first Wednesday of June next ensuing their election, the majority of whom shall be a quorum in every case, except as to calling a convention, in which two thirds of the whole number elected shall agree; and whose duty it shall be to enquire whether the constitution has been preserved inviolate in every part during the last septenary, (including the year of their service,) and whether the legislative and executive branches of government have performed their duty

as guardians of the people, or assumed to themselves, or exercised other or greater powers than they are entitled to by the constitution. They are also to enquire whether the public taxes have been justly laid and collected in all parts of this commonwealth; in what manner the public moneys have been disposed of, and whether the laws have been duly executed. For these purposes they shall have power to send for persons, papers, and records;—they shall have authority to pass public censures, to order impeachments, and to recommend to the legislature the repealing such laws as shall appear to them to have been passed contrary to the principles of the constitution: these powers they shall continue to have for and during the space of one year from the day of their election, and no longer. The said Council of Censors shall also have the power to call a convention, to meet within two years after their sitting, if there appears to them an absolute necessity of amending any article of this constitution which may be defective, explaining such as may be thought not clearly expressed, and of adding such as are necessary, for the preservation of the rights and happiness of the people. But the articles to be amended, and the amendments proposed and such articles as are proposed to be added or abolished, shall be promulgated at least six months before the day appointed for the election of such convention, for the previous consideration of the people, that they may have an opportunity of instructing their delegates on the subject.

And in the "Articles of Amendment" of the constitution, the following article is proposed to be altered and amended, viz:

Article 4. The Senate shall be composed of thirty Senators, to be of the freemen of the county for which they are elected, respectively, who are thirty years of age or upwards, and to be annually elected by the freemen of each county respectively. Each county shall be entitled to one Senator, at least, and the remainder of the Senators shall be

apportioned to the several counties, according to their population, as the same was ascertained by the last census, taken under the authority of the United States—regard being always had, in such apportionment, to the counties having the greatest fraction. But the several counties shall, until after the next census of the United States, be entitled to elect, and have their Senators, in the following proportion, to wit:—

Bennington county, two; Windham county, three; Rutland county, three; Windsor county, four; Addison county, three; Orange county, three; Washington county, two; Chittenden county, two; Caledonia county, two; Franklin county, three; Orleans county, one; Essex county, one; Grand Isle county, one.

The Legislature shall make a new apportionment of the Senators, to the several counties, after the taking of each census of the United States, or census taken for the purpose of such apportionment, by order of the government of this state, always regarding the above provisions in this article.

Which report was read and adopted.

Mr. Pratt, from the committee to make up the debentures of this session, reported, that said committee had performed the service assigned them.

On motion of Mr. Farnsworth,

The Secretary was directed to receive and disburse the debentures of the present session.

Mr. Newell introduced the following resolution:

Resolved, That the thanks of this Council be tendered to the President for the able and impartial manner in which he has discharged his duties in presiding over their deliberations.

Which was read and passed by a unanimous vote of the Council.

On motion of Mr. Farnsworth,

The Council adjourned.

TUESDAY, Feb. 15, 1842.

Prayer by the Rev. Mr. Converse.

The journal was read by the Secretary.

On motion of Mr. Allen,

The Council adjourned without day.

WM. WESTON, *Secretary.*

Articles of Amendment,

PROPOSED BY THE

COUNCIL OF CENSORS;

WITH

THE ADDRESS OF SAID COUNCIL.

A. D. 1842.

ARTICLES

OF

AMENDMENT

OF THE

CONSTITUTION OF VERMONT,

PROPOSED BY THE

Vermont - COUNCIL OF CENSORS, (1841-42.)

IN 1842;

AND THE ARTICLES

PROPOSED TO BE AMENDED;

WITH THE

ADDRESS OF SAID COUNCIL.

Burlington:
CHAUNCEY GOODRICH.
1842.

ARTICLES

Of amendment, alteration, and addition to the Constitution of the State of Vermont, proposed by the Council of Censors, at their session in February, A. D. 1842.

ARTICLE 1. The general state election shall hereafter be held on the second Tuesday of October, annually, forever. And the Legislature shall meet on the first Thursday of January, in the year of our Lord one thousand eight hundred and forty four, and on the first Thursday of January in every year thereafter, unless they shall, by law, appoint a different day.

ARTICLE 2. The Governor, Lieutenant Governor, Treasurer, Secretary of State, Judges of the Supreme, County and Probate Courts, Sheriffs, and High Bailiffs, shall hold their offices until others are elected and qualified in their stead.

ARTICLE 3. The Senate shall be composed of thirty Senators, to be of the freemen of the county for which they are elected, respectively, who shall have attained to the age of thirty years, and to be elected for three years, by the freemen of each county, respectively. Immediately after they shall be assembled, in consequence of the first election

under this constitution, as amended, they shall be divided equally into three classes. The seats of the Senators of the first class, shall be vacated at the expiration of the first year, of the second class, at the expiration of the second year, and of the third class, at the expiration of the third year; so that one third may be chosen every year. And if vacancies happen by resignation, or otherwise, during the electoral year, the Governor may make temporary appointments until the next election, when the vacancies may be filled by the freemen.

Article 4. The Senators shall be apportioned to the several counties, according to the population, as ascertained by the census taken under the authority of congress, A. D. 1840, regard being always had, in such apportionment, to the counties having the greatest fraction, always giving to each county one Senator, at least. The legislature shall make a new apportionment of the Senators to the several counties, after the taking of each census of the United States, or after a census, taken for the purpose of such apportionment, by order of the government of this state, always regarding the above provisions in this article.

Article 5. Sheriffs and High Bailiffs shall be elected by the freemen of their respective counties, and shall hold their offices for the term of one year. And shall give bonds in such manner and amount as the Legislature shall direct.

Article 6. The election of the several officers, mentioned in the preceding article, shall be made at the times, and in the manner now directed in the constitution for the choice of Senators. And the presiding officer, after the votes shall have been taken, sorted and counted, shall make a certificate of the names of each person voted for, with the number of votes given for each, annexed to his name, a record of which shall be made in the town clerk's office; and shall seal up said certificate, and shall write on the same the name of the

town, with the words, "Certificate of votes for Sheriff," or "Certificate of votes for High Bailiff," as the case may be, and shall hand such certificate to some representative chosen to attend the General Assembly. And, at the opening of the General Assembly, there shall be a committee appointed out of the same, who shall be sworn, and whose duty it shall be to examine such certificates and ascertain the number of votes given for each candidate; and the highest in nomination for the respective offices shall be declared duly elected, and shall be commissioned by the Governor. And, if two or more persons, designated for any one such office, shall have received an equal number of votes, the General Assembly shall elect one of them to such office.

Article 7. Justices of the Peace, in each town, shall be annually elected by the freemen thereof, and, until otherwise directed, by law, their election shall be made on the day and in the manner now directed for the choice of representatives to the General Assembly.

No town, having less than one thousand inhabitants, by the then last census of the United States, shall have more than *five* justices of the peace; and no town having less than fifteen hundred inhabitants shall have more than *seven* justices of the peace; and no town shall have more than *twelve* justices of the peace. Any town may, at their annual March meeting, determine, by vote or resolution, to elect a less number of justices at their next freemen's meeting, than the number above limited.

Justices of the peace shall, in all cases, be elected by a plurality of votes. And it shall be the duty of the town clerk of each town, for the time being, to make a certificate of the names of such persons as shall have been duly elected to said office, directed to the Governor, who, on receiving such certificate, shall commission such justices.

Article 8. The Judges of the Supreme Court of this state shall hereafter be chosen, by the General Assembly, for

the term of seven years, during which period they may be removed from office, at any time, by impeachment, or by a joint resolution of the Senate and House of Representatives, to be passed by not less than two thirds of each house voting in favor of such removal.

Article 9. The freemen of each town in this state shall, on the day of election of representatives to the General Assembly, bring in their votes for Governor, with his name fairly written or printed, to the presiding officer of the meeting, who, after the votes shall have been taken, sorted, and counted, shall make a certificate of the names of each person voted for, with the number of votes given for each, annexed to his name, a record of which certificate shall be made in the town clerk's office; and shall seal up said certificate, and write thereon the name of the town, with the words "Certificate of votes for Governor," which certificate he shall hand to some representative elected to attend the General Assembly, instead of sealing up the votes, as required by the tenth section of the constitution of this state. The Lieutenant Governor and Treasurer shall be chosen in the same manner as the Governor.

Article 10. Whenever two thirds of the constitutional number of any Council of Censors shall propose any amendment, explanation, or addition to the constitution of this state, they shall propose the same directly to the people, for their adoption or rejection, instead of calling a convention therefor, in which case they shall, by an ordinance, to be by them promulgated for that purpose, call upon the freemen of the state, qualified to vote for representatives to the General Assembly, to meet at the place of the last freemen's meeting in their towns, respectively, on a day and hour to be designated in such ordinance, for the purpose of voting upon the amendments which the Council of Censors shall have proposed. And the articles to be amended, and the amendments proposed, and such articles as are proposed to be ad-

ded or abolished, shall be promulgated at least six months before the day for such freeman's meeting.

And the Council of Censors shall, in such ordinance, designate the method in which the freemen shall be supplied with ballots, the manner in which their votes shall be expressed, the time, place, and manner of their return, and how, and by whom, the result shall be ascertained and certified to the Governor; and when the result of such balloting shall have been certified to the Governor, or, in his absence or disability, to the Lieutenant Governor, he shall, by proclamation, make the same known to the people. And such article or articles as shall have been adopted by a majority of the freemen voting as aforesaid, he shall cause to be transcribed and certified under his hand and the seal of the state, and deposited in the office of the Secretary of State. And the Secretary of State shall record the same; and they shall thereupon become, and thenceforth be, a part of the constitution of this state, and, as such, binding on the inhabitants thereof forever.

ARTICLES

And Sections of the Constitution proposed to be altered and amended.

In the first part of the constitution, entitled, "A Declaration of the Rights of the Inhabitants of the State of Vermont," no article is altered, abolished, or superseded, by any of the proposed amendments of this Council of Censors.

In the second part, entitled, "Frame of Government," the following sections are altered, abolished, or superseded, either in whole or in part, viz.—

Section 8. The House of Representatives of the freemen of this state shall consist of persons most noted for wisdom and virtue, to be chosen by ballot by the freemen of every town in this state, respectively, on the first Tuesday of September, annually, forever.

Section 9. The representatives so chosen, (a majority of whom shall constitute a quorum for transacting any other business than raising a state-tax, for which two thirds of the members elected shall be present,) shall meet on the second Thursday of the succeeding October, and shall be styled, *The General Assembly of the state of Vermont:* they shall have power to choose their speaker, secretary of state, their clerk, and other necessary officers of the house; sit on their own adjournments; prepare bills and enact them into laws; judge of the elections and qualifications of their own members: they may expel members, but not for causes known to their constituents antecedent to their election; they may administer oaths and affirmations in matters depending before them; redress grievances; impeach state criminals; grant charters of incorporation; constitute towns, boroughs, cities, and counties: they may, annually, on their first session after their election, in conjunction with the Council, (or oftener if need be) elect judges of the supreme and several county and probate courts, sheriffs and justices of the peace; and also, with the Council, may elect Major Generals and Brigadier Generals, from time to time, as often as there shall be occasion; and they shall have all other powers necessary for the legislature of a free and sovereign state. But they shall have no power to add to, alter, abolish, or infringe any part of this constitution.

Section 10. The supreme executive council of this state shall consist of a Governor, Lieutenant Governor, and twelve persons, chosen in the following manner, to wit:—the freemen of each town shall, on the day of election for choosing representatives to attend the General Assembly, bring in their

votes for Governor, with his name fairly written, to the constable, who shall seal them up, and write on them, "*Votes for Governor*," and deliver them to the representative chosen to attend the General Assembly. And at the opening of the General Assembly there shall be a committee appointed, out of the Council and Assembly, who, after being duly sworn to the faithful discharge of their trust, shall proceed to receive, sort, and count the votes for the Governor, and declare the person who has the major part of the votes, to be Governor for the year ensuing. And if there be no choice made, then the Council and General Assembly, by their joint ballots, shall make choice of a Governor. The Lieutenant Governor and Treasurer shall be chosen in the manner above directed. And each freeman shall give in twelve votes for twelve Councillors, in the same manner, and the twelve highest in nomination shall serve, for the ensuing year, as Councillors.

Section. 43. In order that the freedom of this commonwealth may be preserved inviolate forever, there shall be chosen by ballot, by the freemen of this state, on the last Wednesday in March, in the year one thousand seven hundred and ninty-nine, and on the last Wednesday in March, in every seven years thereafter, thirteen persons, who shall be chosen in the same manner the Council is chosen, except they shall not be out of the Council or General Assembly, to be called *the Council of Censors*, who shall meet together on the first Wednesday of June next ensuing their election, the majority of whom shall be a quorum in every case, except as to calling a convention, in which two thirds of the whole number elected shall agree; and whose duty it shall be to enquire whether the constitution has been preserved inviolate in every part during the last septenary, (including the year of their service,) and whether the legislative and executive branches of government have performed their duty as guardians of the people, or assumed to themselves, or exercised other or greater powers than they are entitled to by the constitution. They are also to enquire whether the pub-

lic taxes have been justly laid and collected in all parts of this commonwealth; in what manner the public moneys have been disposed of, and whether the laws have been duly executed. For these purposes they shall have power to send for persons, papers, and records;—they shall have authority to pass public censures, to order impeachments, and to recommend to the legislature the repealing such laws as shall appear to them to have been passed contrary to the principles of the constitution: these powers they shall continue to have for and during the space of one year from the day of their election, and no longer. The said Council of Censors shall also have the power to call a convention, to meet within two years after their sitting, if there appears to them an absolute necessity of amending any article of this constitution which may be defective, explaining such as may be thought not clearly expressed, and of adding such as are necessary, for the preservation of the rights and happiness of the people. But the articles to be amended, and the amendments proposed and such articles as are proposed to be added or abolished, shall be promulgated at least six months before the day appointed for the election of such convention, for the previous consideration of the people, that they may have an opportunity of instructing their delegates on the subject.

And in the "Articles of Amendment" of the constitution, the following article is proposed to be altered and amended, viz:

Article 4. The Senate shall be composed of thirty Senators, to be of the freemen of the county for which they are elected, respectively, who are thirty years of age or upwards, and to be annually elected by the freemen of each county respectively. Each county shall be entitled to one Senator, at least, and the remainder of the Senators shall be

apportioned to the several counties, according to their population, as the same was ascertained by the last census, taken under the authority of the United States—regard being always had, in such apportionment, to the counties having the greatest fraction. But the several counties shall, until after the next census of the United States, be entitled to elect, and have their Senators, in the following proportion, to wit:—

Bennington county, two; Windham county, three; Rutland county, three; Windsor county, four; Addison county, three; Orange county, three; Washington county, two; Chittenden county, two; Caledonia county, two; Franklin county, three; Orleans county, one; Essex county, one; Grand Isle county, one.

The Legislature shall make a new apportionment of the Senators, to the several counties, after the taking of each census of the United States, or census taken for the purpose of such apportionment, by order of the government of this state, always regarding the above provisions in this article.

ADDRESS.

To the Freemen of the State of Vermont:

The Council of Censors, chosen on the last Wednesday of March, 1841, pursuant to the forty third section of the constitution of the state, about to close their official labors, present to the public the result of their deliberations in relation to the various subjects which have occupied their attention during the past year.

Among other things, it is made the duty of the Council to inquire whether the constitution has been preserved inviolate, in every part, during the last septenary; whether the legislative and executive branches of the government have performed their duty as guardians of the people, or assumed to themselves or exercised other or greater powers than they are entitled to by the constitution; whether the public taxes have been justly laid and collected in all parts of the state; in what manner the public money has been disposed of, and whether the laws have been duly executed; and they are empowered, also, to propose alterations and amendments of the constitution, and to call a convention to consider such alterations and amendments as the Council may deem it expedient to propose.

We have examined the various laws upon the statute book, and believe that, with few exceptions, they have been enacted with a due regard to the provisions and limitations contained in the constitution. Duty, however, constrained us to call the attention of the legislature to that portion of the militia law which related to the government of the militia when

not in actual service, and to pronounce that part of it, which empowered the officers of the militia to impose and enforce the collection of fines and penalties by law-martial, and without the right of trial by jury, to be in contravention of the seventeenth section of the first chapter of the constitution. That section declares that "no person in this state can, in any case, be subjected to law-martial, or to any penalties or pains by virtue of that law, except those employed in the army and the militia in actual service." Believing that the law, authorizing the imposition of fines by courts-martial for military neglects and offences, at ordinary militia trainings, was directly in violation of the above recited article of the constitution, we respectfully recommended to the legislature its repeal or modification, and we are gratified to find that the last legislature has so far amended this law as to repeal its objectionable parts, and to give the accused a trial before the ordinary civil tribunals.

The Council have directed their earnest consideration to the tenure of office now given to the state senators. On viewing the several departments of legislation, and the purpose of each branch in its action, as a law-making power, we are struck with the impropriety presented by the relative periods for which the delegates to the several branches are respectively appointed. With the present mode of election and limitation of their services, it is but little better than giving the whole legislative power to a single body of men. They are all elected by the people at the same time, and for the same period. They go into office on the same day, and their public services terminate at the end of the year. As the members of the House of Representatives, come from every town in the state, and are elected for one session only, it cannot, from the very nature of the case, be otherwise than that there should be, in many of them, a want of experience in legislation. In so numerous a body there will always be a liability to high excitements, and, as a consequence, to inconsiderate legislation. And, whenever an improper excitement, of a political cast, arises or exists amongst the people, it will be communi-

cated to, and carried out by, the legislators in their official transactions.

The object of a Senate is to establish a more experienced, deliberative, and independent body than the House. Such a body, in the process of law-making, experience has shown to be absolutely necessary. But, as Senators and members of the House are now elected for the same term of time, and as the Senate are a less numerous body, and dependent, in some measure, for a re-election, upon the representatives of their respective counties, who may be presumed to exercise an influence over their elections, it is believed that they cannot possess the independence requisite to a proper revision of the proceedings of the House of Representatives.

In order to secure this important object, the Council of Censors have recommended an amendment of the constitution, by giving to the Senators an official term of three years, and so classifying them as to have one third go out of office at the expiration of each year. We consider this the more necessary, inasmuch as the executive department has no other power over the enactments of law, in his duty of revision, than to return them to the body in which they originated, with his objections, after which, notwithstanding those objections, they may become the law of the land by a vote of a majority, only, of each house.

The Senate ought to possess a degree of permanency and stability of office, in order to prevent the necessity of the intervention of the executive veto, a power always viewed by the people with jealousy, and its exercise generally marked with disapprobation. By giving to the Senators a term of three years, you place them beyond the influence of the sudden excitements of the day, and yet leave them sufficiently responsible to their constituents. It is believed that, in selecting candidates for that office for the term of three years, more care will be taken to secure men worthy of the trust, than when the selection is made to fill the office but for the term of one year.

By a division of the Senate into three classes, by which a

portion only will go out each year, there will remain a majority of old members, by whose experience the new ones will be greatly benefitted, and the whole together will form a salutary check upon the more numerous branch of the legislature. Besides, the Senator for three years will find a greater obligation resting upon himself to become acquainted with the duties of his station, than if he were appointed but for a single session, of four or five weeks. As his services and attainments will be known and appreciated by his constituents, so will he be stimulated by a laudable ambition to qualify himself for a faithful and honorable discharge of the important duties assigned him. Thus will the conservative power of the Senate be made to operate upon the government, and thus will that degree of stability in the law be preserved, so highly necessary in securing the liberty and prosperity of the people.

The Council have also had in consideration the Judicial system of the state. They have much to admire in regard to the organization of this system. The plan of combining the supreme with the county courts for the trial of issues of fact, so far as to associate a judge of the supreme court with the judges of the county court, has proved by experience to fulfil every purpose which its most ardent advocates could have anticipated. The great improvements which the adoption of this system has introduced in the administration of justice must be apparent to all who will compare it with the system by which it was preceded. But this Council believe that the time has arrived when an additional advantage might be obtained by giving to the judges of the supreme court a greater degree of independence. This should be done by enlarging the tenure of their office.

As this is a subject fixed by the constitution, and cannot, like the organization of courts, come under the control of legislative enactment, it necessarily devolves upon us to recommend such an improvement. On the best reflection we can give the subject, connected with the present improvement of the age, we cannot do our duty to the state, without, at this

time, recommending an amendment of the constitution so as to give to the judges an office to be held by them seven years from the date of their respective elections. This proposition has been brought into favor with the Council by considerations, some of which they will mention.

In no state in the union, with the exception of Vermont and Rhode Island, are the judges of the highest court elected annually.

The appointment being made by the joint ballot of the two houses of our legislature, it becomes highly necessary to place the supreme judges beyond the encroachments of that body. We cannot expect an impartial and secure administration of the laws without conferring upon the judges an independence which can never be realized under appointments annually made by the legislature.

The judicial power should be separated so far from the legislative and executive, as that neither should exercise the duties appertaining to the other. Each should be independent of the other. Neither should encroach upon the other; and, as the judicial is the weaker body, it should, in the exercise of its functions, be rendered as independent of the other as circumstances will admit.

It is an attribute of the supreme judicial tribunals to judge of the constitutionality of all laws passed by the legislature, when properly brought in review before them. They are always to regard the constitution as the fundamental law of the land, and superior to any legislative enactment. Consequently, if the law is not warranted by, or is repugnant to, the provisions of the constitution, as is sometimes the case, the judges are bound to pronounce it inoperative and void. Can it be expected that judges, dependent every year upon the Legislature for their appointment, will possess the necessary firmness to judge over the heads of that body, and declare their enactments void? The observation of every one, who has attended to this subject, proves that the contrary effect is the result.

This Council, then, are fully of the opinion that, to secure

talent, experience, fidelity and independence, the tenure of the office of the judges should be enlarged.

Yet, it may happen that the judge may prove himself to be incompetent, or of a temperament unsuitable for so high a trust, and still not subject himself to impeachment,—a mode of trial extremely delicate, and one which would be resorted to with great reluctance. The Council have, therefore, recommended the principle of removal by resolution, on a vote of two thirds of each of the houses of the Legislature. It is believed that this will give a sufficient power over that judge who proves to the people, by his official conduct, that he is unworthy of their confidence.

The subject of altering the time for holding *freemen's meeting*, and the sessions of the Legislature, has been brought to our notice by the urgent solicitations of individuals from various parts of the state. The time for holding freemen's meeting is alleged to be too early in the season, especially for the accommodation of the farmer, as it most generally arrives before he has completed his harvest, and the early day of election not unfrequently prevents a full attendance of the freemen at the polls.

As a remedy for these inconveniences, we have seen fit to propose to the people, for their consideration, the second Tuesday of October for the holding of freemen's meeting, and the first Thursday of January following for the convening of the Legislature, giving to that body the power to appoint, by law, a different day, for the meeting of the Legislature, if deemed advisable. Whether this is called for, is a question for your consideration and decision.

The manner of appointment of the officers of the county has been urged upon the Council from various parts of the state. Strong objections are made to the present mode of electing these local officers by the Legislature. The candidates cannot be supposed to be personally known to but few of that body. Consequently, imposition and intrigue have too frequently had more to do than merit in the appointment of these officers. The Council, therefore, have thought it

advisable to give these appointments directly to the people, who will be best acquainted with the qualifications of those who are to serve them, and will be better enabled to select, and as well inclined to appoint, the best men to office, as the body whose duty it now is to make these appointments.

As, in a free government, all appointments to office, as well as all laws, proceed directly or indirectly from the people, it cannot well be denied that, as far as is practicable, these powers should be retained by them. The Council, therefore, recommend that the election of sheriff and high-bailiff be given to the freemen of the county. These are executive officers of the county, clothed, in the execution of their duties, with the power to control, not only the property, but the persons of individuals. Their authority is confined to and pervades the county, and their appointment ought, therefore, not to be taken from the people of the county.

In regard to the appointment of justices of the peace, by the freemen of their respective towns, although the office is for the county, yet, as their services are mostly confined to the town in which they reside; and inasmuch as, in the one case, they will be personally known to every elector, and in the other (if elected by the county) will be known to but few, it is the opinion of the Council that the whole public interest will be better subserved by giving the appointment of the justices of the peace to the freemen of the town in which they reside, than in any other way.

We have, therefore, proposed an amendment of the constitution giving the appointment of this officer directly to the freemen of the town; and we have likewise recommended that the number of justices, to be appointed for each town, be somewhat in proportion to the number of inhabitants of such town—no one town being allowed more than twelve.

We have proposed an amendment to the tenth section of the second chapter of the constitution, altering the manner of making returns of votes given for Governor, Lieutenant Governor, and Treasurer, authorizing the several presiding officers over the several freemen's meetings in this state to

forward a certificate of the number of votes given, without transmitting the ballots themselves.

Under the present mode, considerable inconvenience has been experienced, while it is not known that any benefit has been derived. The certificate of the officer alone has been all the evidence required by the canvassing committee when ascertaining the number of votes cast for the respective candidates.

The subject of abolishing the Council of Censors, and giving the power to propose amendments of the constitution to one or both branches of the Legislature, has been presented to the deliberate consideration of this Council. It has been urged that it would be an important saving of expense to the state, and that the other duties of the Council, as now prescribed, have, by the progress of improvement in the legislative and judicial departments of the government, become unimportant and useless. But, after a full discussion of this subject we have not judged it expedient to recommend the abolishing of that body. We have reason to apprehend that if the power to propose amendments of the constitution were exercised by one or both branches of the Legislature, there could be no saving of expense, considering the time that would thus be occupied by those bodies ;—that party politics would too often mix with the discussions, and influence the decisions in relation to the proposals of amendment.

The Council have seen fit to place before you, for your consideration and decision, one other proposal of amendment to the constitution. This relates to the forty third section of the second part of that instrument. We propose so to alter and amend that section as to give directly to the people the adoption or rejection of such recommendation of amendments to the constitution as shall be proposed by the Council of Censors.

This measure will place the question of amendment before each individual, who will be dependent upon no one for the expression of his opinions. It commends itself to your favorable consideration, because it is in strict conformity with

the first principles of a republican government. The constitution is the ground-work of the law of the land, and, as such, should proceed directly from those who are to be bound by it. This is the charter by which all the departments of the government are limited, and which declares, thus far shalt thou go and no farther. The people have the right to alter or amend the constitution for the promotion of their welfare, and that right is inalienable. A right so vitally important, which can with so little inconvenience be exercised by the freemen themselves, should never be entrusted to others.

The power to propose amendments must necessarily be delegated to some selected body. In the different states, different rules prevail. In some, it is given to the legislature, under certain restrictions; in others, to a convention elected by the people; in ours, to a Council of Censors, elected once in seven years. But the power of adopting or rejecting, ought always to be vested in the freemen themselves, and an opportunity is now offered to the people of Vermont to assert and secure for themselves and their posterity, this most invaluable and inalienable right.

In resolving to call a Convention, we have acted upon the full belief that the rights and interests of our fellow citizens will be advanced by the adoption of these amendments.

The several proposals of amendment are so framed as to leave it in the power of the convention to adopt any one or more of them, without adopting the others.

And we submit to our fellow citizens the result of our labors with full assurance of your candid and impartial examination, and with entire confidence that your decision upon the several amendments proposed, will be such as to promote the welfare and prosperity of the state.

DIRECTORY

AND,

RULES OF THE SENATE

AND

HOUSE OF REPRESENTATIVES

FOR

OCTOBER SESSION,

1842.

Vermont - General Assembly.

MONTPELIER:

E. P. WALTON & SONS, PRINTERS.

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1842.

JOURNAL

OF THE

SENATE

OF THE

STATE OF VERMONT,

OCTOBER SESSION,

1842.

PUBLISHED BY AUTHORITY.

Montpelier:
E. P. WALTON AND SONS.
1843.

JOURNAL.

AGREEABLY to the provisions of the Constitution, the Senate of Vermont convened, at the State House, in Montpelier, on the second Thursday of October, being the thirteenth day of the month, in the year of our Lord, one thousand eight hundred and forty-two. The Senate was called to order by the President, when the following Senators answered to their names, and were sworn:

Bennington County, . .	HENRY SHELDON, JOSIAH WRIGHT.
Windham County, . .	JOHN BARRETT, SANFORD PLUMB, CALVIN TOWNSLEY.
Rutland County, . . .	ALANSON ALLEN, ELISHA ALLEN, EBENEZER N. BRIGGS.
Windsor County, . .	JAMPDEN CUTTS, SALMON F. DUTTON, ABNER FIELD, JOHN PORTER.
Addison County, . . .	PETER STARR, HARVEY MUNSILL.
Orange County, . .	CALVIN BLODGETT, ROYAL HATCH, TAPPAN STEVENS.
Chittenden County, . .	DAVID FRENCH, DAVID A. SMALLEY.
Washington County, . .	PAUL DILLINGHAM, Jr. WOOSTER SPRAGUE.
Caledonia County, . .	DANIEL W. AIKEN, THOS. BARTLETT, Jr.
Franklin County, . .	WILLIAM GREEN, HOMER E. HUBBELL.
Orleans County, . . .	DAVID M. CAMP,
Lamoille County, . .	ORION W. BUTLER.
Essex County, . . .	WARNER BINGHAM.
Grand Isle County, . .	WILLIAM L. SOWLES.

On motion of Mr. Starr,

Ordered, That the Rules of the Senate of the last session be adopted as the rules of the present session, until it shall be otherwise ordered.

On the nomination of the President, the following Senatars were appointed the Committee, on the part of the Senate, to canvass the votes for Governor, Lieutenant Governor and Treasurer of the State, for the ensuing year, namely: Messrs. Sheldon, Field, Townsley, Briggs, French, Hatch, Butler, Camp, Sowles, Bingham, Bartlett, Hubbell, Starr, Dillingham.

Mr. Bartlett introduced the following resolution:

Resolved, by the Senate and House of Representatives, That both Houses meet, in Joint Assembly, this afternoon at three o'clock, to hear the report of the Canvassing Committee.

Which was read and passed.

Mr. Sheldon introduced the following resolution:

Resolved, That the Secretary be directed to furnish to the President of the Senate, the Secretary and the Assistant Secretary, and each Senator, during the session, with one daily, and one weekly newspaper, printed in this village, such as each may designate, at the expense of the State.

Which was read and passed.

On motion of Mr. Hubbell, it was

Ordered, That a message be sent to the House of Representatives, informing them that a quorum of the Senate have assembled and organized, and are ready to proceed to business.

Mr. Briggs introduced the following resolution:

Resolved, That the President appoint a committee of two Senators, to wait on his Excellency the Governor, and inform him that the Senate have organized, and are ready to receive any communication he may be pleased to make.

Which was read and passed; and the President appointed Mr. Briggs and Mr. Dillingham, as such committee.

The President announced to the Senate, his approval of the nomination by the Sergeant-at-Arms, of Zebina C. Camp for Door Keeper, and Samuel L. Billings for Assistant Door-Keeper of the Senate, and they were, severally, duly sworn.

Mr. Barrett introduced the following resolution:

Resolved, by the Senate and House of Representatives, That the Secretary of the Senate and the Clerk of the House, procure to be published in pamphlet form, for the use of the members, copies of the Legislative Directory, with the Joint Rules of both Houses.

Which was read, and on motion of Mr. Camp, the blank was filled by inserting four hundred, and the resolution was amended by striking out the words "with the Joint Rules of both Houses," and inserting the words in lieu thereof, "embracing the usual matter, with the exception of the Joint Rules, and the Rules of the two Houses."

And the resolution, as amended, was passed.

Mr. Briggs, from the special committee, appointed to wait on his Excellency the Governor, reported that the committee had performed the service assigned to them.

On motion of Mr. Butler,

Ordered, That when the Senate adjourn, it adjourn to meet at 3 o'clock this afternoon.

On motion of Mr. Butler,

Ordered, That the Senate do now proceed to ballot for a Secretary of the Senate, and an Assistant Secretary, for the year ensuing.

Whereupon,

The ballots having been taken and examined,

DE WITT C. CLARKE,

was found to be elected Secretary, and

EDWARD A. STANSBURY,

Assistant Secretary; and they were thereupon duly sworn, and entered upon the duties of their office.

On motion of Mr. Camp,

Ordered, That the rules be so far suspended as to permit the appointment of the Committee on Rules by the Chair; and that the Chair now appoint that committee.

Whereupon the Chairman appointed Mr. Camp, Mr. Briggs, and Mr. Bartlett, as such committee.

(S. 1.) Mr. Camp introduced a bill entitled "an act dividing the State into Districts, and prescribing the mode of electing members of Congress."

Which was read the first, and second times, and

Referred to the Committee on the Judiciary.

The Senate adjourned.

AFTERNOON.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President,—The House of Representatives have organized by the election of the Honorable Andrew Tracy, Speaker, for the year ensuing, and of a Clerk, pro tem. They have, on their part, appointed a committee to canvass the votes for Governor, Lieutenant Governor and Treasurer, for the year ensuing, and they concur with the Senate in passing a resolution, providing for a Joint Assemby to hear the report of the canvassing committee.

The Senate having joined the House of Representatives in joint Assembly, pursuant to the concurrent resolution of the two Houses, and received the report of the committee appointed to canvass the votes for Governor, Lieutenant Governor and Treasurer of the State, and returned to the Senate Chamber, the President signified his acceptance of the office of Lieutenant Governor, and the oath of office was administered to him by the Secretary.

On motion of Mr. Briggs,

The Senate adjourned.

FRIDAY, Oct. 14, 1842.

The journal was read.

On motion of Mr. Munsill,

Ordered, That the Senate proceed to elect a Chaplain for the year ensuing.

The ballots having been taken and counted, Rev. GEO. B. MANSER was found to be elected.

On motion of Mr. Sheldon,

Ordered, That the Senate proceed to the election of the Standing Committees; and the ballots having been taken and counted, the following gentlemen were respectively elected:

On Finance.—Mr. Camp, Chairman, Mr. Bartlett and Mr. Munsill.

On Judiciary.—Mr. Briggs, Chairman, Mr. Dillingham and Mr. French.

On Claims.—Mr. Cutts, Chairman, Mr. Hubbell and Mr. Plumb.

On Education.—Mr. Eaton, Chairman, Mr. Sheldon and Mr. Dutton.

On Agriculture.—Mr. Sowles, Chairman, Mr. Blodgett and Mr. E. Allen.

On Manufactures.—Mr. Porter, Chairman, Mr. Aiken and Mr. Plumb.

On Elections.—Mr. Townsley, Chairman, Mr. Butler and Mr. French.

On Military Affairs.—Mr. Alanson Allen, Chairman, Mr. Stevens and Mr. Townsley.

On Roads and Canals.—Mr. Field, Chairman, Mr. Smalley and Mr. Porter.

On Banks.—Mr. Starr, Chairman, Mr. Hatch and Mr. Sowles.

On Land Taxes.—Mr. Barrett, Chairman, Mr. Sprague and Mr. Eaton.

The following communication was received from the Speaker of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Oct. 14, 1842.

SIR:—I have the honor to inform the Senate that the House of Representatives have elected Ferrand F. Merrill, their Clerk, and Joseph Poland, Assistant Clerk, for the year ensuing.

I am, very respectfully,
Your obedient servant,
ANDREW TRACY,
Speaker of the House of Representatives.

To his Honor, WAITSTILL R. RANNEY,
President of the Senate.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT,—The House of Representatives have passed a resolution providing for the holding of County Conventions, and a Joint Assembly to confirm county nominations; in which they request the concurrence of the Senate.

The said resolution is as follows:

Resolved, by the Senate and House of Representatives, That the members of both Houses meet in County Conventions on Monday next, at three

o'clock, P. M. to nominate county officers, and that both Houses meet in Joint Assembly on Tuesday next, at ten o'clock, A. M. to make the County appointments.

And the same was read and passed in concurrence.

Mr. Aiken introduced the following resolution:

Resolved, That the Committee on Elections be instructed to inquire and report as soon as may be, whether any persons holding seats in this Senate are also holding any offices of profit or trust under the authority of Congress.

Which resolution was read and passed.

Mr. Camp, from the Committee on Rules, reported the entire rules of the last session without amendment; which report was accepted, and the said rules were adopted, and are as follows:

RULES.

1. The credentials of Senators shall be presented to the Secretary or Assistant Secretary, previous to nine o'clock in the morning of the second Thursday of October, at which time the Senate shall be called to order. The names of the Senators shall be called over, and when a quorum shall have taken their seats, they shall, having first taken the necessary oaths, on nomination of the President, appoint a canvassing committee, consisting of one Senator from each county, to join such committee as the House of Representatives may appoint, whose duty shall be to receive, sort, and count, the votes for Governor, Lieutenant Governor, and Tresaurer, and make report thereof to the joint assembly of both houses.

2. The Senate shall meet every day (Sundays excepted) at nine o'clock in the morning, and two o'clock in the afternoon, unless otherwise specially ordered.

3. The President having taken the chair, and a quorum being present, the journal of the preceding day shall be read, and all errors therein corrected.

4. In case no quorum shall assemble, within fifteen minutes after the time to which the Senate was adjourned, those present shall have power to send the Sergeant-at-Arms, or other officer, after the absentees, and compel their attendance.

5. Whenever the Senate shall assemble, according to adjournment, or at the commencement of a session, and the President shall be absent, it shall be the duty of the Secretary, if present, if not, of a Senator, to call to order; and the Senators present, if a quorum, shall, by ballot, elect a President pro tempore.

6. No Senator shall be absent without leave, unless he is sick, or otherwise necessarily detained.

7. No Senator shall audibly speak to another, or otherwise interrupt the business of the Senate, while the journals or other public papers are being read, or while a Senator is orderly speaking in debate.

8. Every Senator, when he speaks, shall, standing in his place, address the President, and when he has finished, shall sit down.

9. No member shall speak more than twice on the same question, without leave of the Senate; and Senators who have once spoken, shall not again be entitled to the floor, (except for the purpose of explanation,) to the exclusion of another who has not spoken.

10. In all cases, the Senator first arising and addressing the President

(subject to the restriction of rule 9,) shall be entitled to the floor, and when two or more arise at the same time, the President shall name the one who is to speak.

11. When a Senator shall be called to order, he shall sit down, and every question of order shall be decided by the President without debate, subject to an appeal to the Senate.

12. If a Senator be called to order for the words spoken, the exceptionable words shall be immediately taken down in writing by the Senator calling to order, that the President may be better enabled to judge of the matter.

13. The first hour of each morning's sitting may be devoted to the reception and disposal of petitions, memorials, remonstrances, motions, resolutions, and the introduction of bills; after which, the orders of the day, or other proper business, shall be announced, always commencing with the unfinished business of the last sitting. The first hour of the afternoon's sitting may be occupied in the receiving and disposing of reports of committees, and in completing the business of the morning hour; at the expiration of which, the Senate will again take up the orders of the day.

14. Reports of committees may be signed by any member in behalf of the committee, and shall be by him presented to the Senate, when a call for reports is made. The signer of each report shall be held responsible for the accuracy of its statements and the propriety of its language, and when the same shall be under consideration, he shall be further liable to give additional statements of facts, or other explanations, in answer to the call of any Senator.

15. The proceedings of the Senate, except when acting as in Committee of the Whole, embracing the titles of bills, and such parts thereof as may be affected by proposed amendments, and also the names of Senators, and the votes which they give on every question decided by yeas and nays, shall be by the Secretary accurately and concisely inserted in the journals.

16. The Senate, shall, annually, within the first four days of actual sitting, elect by ballot, (and a majority of all present shall be necessary to a choice,) a Secretary, and an Assistant Secretary, who shall be *ex officio* Engrossing Clerk, who shall be severally sworn to the faithful discharge of their duties, and shall hold said offices until superseded by a new election. The Senate shall also, within the same time, elect the following Standing Committees, to consist of three members each, to wit: On Finance,—on the Judiciary,—on Claims,—on Education,—on Agriculture,—on Manufactures,—on Elections,—on Rules,—on Military Affairs,—on Roads and Canals,—on Banks, and on Land Taxes.

17. In the appointment of Standing committees, (except the one mentioned in rule 1,) the Senate will proceed by ballot, severally to appoint the chairman of each, and then, by one ballot, the other members necessary to complete the same. In the election of a chairman, a majority of the votes given shall be necessary, but for the others a plurality shall be sufficient. All select committees shall be appointed by the President, unless otherwise ordered by the Senate.

18. All bills, after the second reading, and all petitions, memorials, remonstrances, resolutions, and other papers calling for legislative action, (except such as have been reported by a committee,) no objection being made, shall be referred by the President to appropriate committees.

19. Before any resolution, any petition, or other paper addressed to the Senate, shall be received and read, whether the same shall be introduced by the President or a Senator, the title shall be fairly endorsed thereon; and a brief statement of its object or contents shall be made by the introducer.

20. Every motion shall be reduced to writing by the mover, if required thereto by the President or a Senator, and a motion to lay another motion, the latter not being in writing, on the table, or otherwise to dispose of it, shall not be in order.

21. Every bill shall receive three readings before it is passed; the President shall give notice at each reading whether it be the first, second, or third; the last of which readings of public bills shall be at least twenty-four hours after the first reading, unless the Senate unanimously direct otherwise. *Provided*, That private bills shall be read the second time by their title. Resolutions requiring the approbation and signature of the Governor, shall be treated in all respects as bills.

22. On the demand of a Senator, public bills, after a second reading, shall be considered by the Senate as in committee of the whole.

23. The final question, upon the second reading of every bill which originated in the Senate, shall be, "Shall this bill be engrossed and read the third time?" No amendment shall be received at the third reading but it may be committed for amendment at any time before its final passage.

24. Motions on bills and resolutions shall be sustained in the following order: 1. To postpone indefinitely. 2. To lay upon the table. 3. To commit. 4. To amend.

25. A call for the previous question shall not at any time be in order.

A motion to adjourn shall always be in order, and shall be decided without debate.

26. If the question in debate contain several points, the same shall be divided on the demand of a Senator. A motion to strike out and insert shall not be divided, but the rejection of a motion to strike out and insert one proposition shall not preclude a motion to strike out and insert a different one, or a motion simply to strike out; nor shall the rejection of a motion simply to strike out, prevent a subsequent one to strike out and insert.

27. In filling blanks the largest sum and the longest time shall be first in order.

28. When the reading of a paper is called for, and the same is objected to by a Senator, the question shall be determined by a vote of the Senate.

29. The yeas and nays shall be taken, on the call of a Senator, and every Senator present shall vote, unless excused by the Senate; but no Senator shall be compelled to vote, who was absent when the question was stated by the President, nor shall any one be permitted to vote, who was absent when his name was called, nor after the decision of the question has been announced from the chair.

30. No Senator in the minority, nor one who did not vote on the decision of a question, shall have a right to move a reconsideration thereof; nor shall any motion for reconsideration be in order, unless made before the close of the next day of actual sitting of the Senate after that in which the vote was taken, and before the bill, resolution, report, amendment, address, or motion, upon which the vote was taken, shall, in the regular progress of business, have gone out of the possession of the Senate.

31. On all questions, in the decision of which a simple majority is required, when the Senate is equally divided, the Secretary shall take the casting vote of the President. In all such cases, a motion for reconsideration, if made in time, shall be in order from any Senator who voted on the question.

32. The President shall have the right to call upon any Senator to discharge the duties of the chair whenever he shall find it necessary, temporarily, to retire; but such substitution shall not extend beyond more than one adjournment.

33. The Senate, having taken a final vote on any question, the same shall not again be in order during the same session, in any form whatever, except by way of reconsideration; and when a motion for reconsideration has been decided, that decision shall not be reconsidered.

34. No proposition to amend the rules of the Senate, or the joint rules of both houses, shall be acted on, until the same shall have been before the Senate at least twenty-four hours.

35. Messages shall be sent to the House of Representatives by the Secretary or Assistant Secretary.

36. Reporters may be placed on the floor of the Senate, under the direction of the Secretary, with the approbation of the President.

37. No persons shall be admitted within the lobby of the Senate chamber, except the Governor, Treasurer of the State, Auditor of Accounts, members of the other House, Judges of the Supreme Court, Senator and Representatives in Congress, Ex-Governors and Lieutenant Governors, Ex-Judges of the Supreme Court, Ex-Senators and Representatives in Congress, Ex-Senators of the State Senate, District Judge and Attorney of the United States, members of other State Legislatures, and such gentlemen and ladies as the President or a Senator may introduce.

38. When in session, the Senators shall sit with their heads uncovered.

39. Upon any disorderly conduct in the gallery the President may order the same to be cleared.

40. Whenever a bill or resolution is laid on the table, by order of the Senate, and shall have remained on the table twenty-four hours, it shall be subject to be taken up by the chair, and presented for the consideration of the Senate, without a call or order on the subject.

41. There shall be one door-keeper and one assistant door-keeper of the Senate; and the President may employ a boy to attend in the Senate chamber.

Mr. Sprague introduced the following resolution:

Resolved, That the Committee on the Judiciary be instructed to report a bill to repeal the amendment to the 63d section of 28th chapter of the Revised Statutes, passed at its October session, 1841.

And on the question of its passage, called for the yeas and nays.

Mr. Camp moved to amend said resolution so that the same should read as follows:

"*Resolved*, That the Committee on the Judiciary be instructed to inquire into the expediency of repealing or amending the "act in amendment of section 63 of chapter 28 of the Revised Statutes," approved Nov. 9, 1841."

Which amendment was adopted.

And the yeas and nays being taken upon the passage of the resolution as amended, are as follows:

The Senators who voted in the affirmative are,

Messrs. Aikin, A. Allen, E. Allen, Barrett, Bartlett, Bingham, Blodgett, Briggs, Butler, Camp, Cutts, Dillingham, Dutton, Field, Green, Hatch, Hubbell, Munsill, Plumb, Porter, Sheldon, Smalley, Sowles, Sprague, Starr, Stevens, Townsley, and Wright—28.

And no Senator voting in the negative, the resolution as amended, passed.

The following communication was received from His Excellency the Governor:

To the Senate:

I have the honor to inform you that I propose to take the oaths of office which the Constitution prescribes for the Governor of this State, in the Executive Chamber, at 2 o'clock, and to make my annual communication to the General Assembly at 3 o'clock this afternoon.

CHARLES PAINE.

EXECUTIVE CHAMBER, Oct. 14, 1842.

The Senate adjourned.

AFTERNOON.

Mr. Sprague introduced the following resolution:

Resolved, That the Committee on the Judiciary be requested to inquire into the expediency of amending existing laws in regard to the limits of jail yards, so as to extend them to those of the counties.

Which resolution was passed.

Mr. Sheldon introduced the following resolution:

Resolved, That the Committee on Agriculture be instructed to inquire into the expediency of passing a law providing for a geological survey of the State, and report by bill or otherwise.

Which resolution, on motion of Mr. Sprague, was laid on the table.

The following communication was received from His Excellency the Governor:

To the Senate:

I have the honor to inform you, that I have appointed Henry Hale Secretary of Civil and Military Affairs for the year ensuing.

CHARLES PAINE.

EXECUTIVE CHAMBER, Oct. 14, 1842.

Mr. Camp introduced the following resolution:

Resolved, by the Senate and House of Representatives, That a joint Committee, consisting of three members from each house, be appointed by their respective presiding officers to report Joint Rules.

Which resolution was read and adopted.

(S. 2.) Mr. Briggs introduced a bill entitled "an act to repeal the 22d section, chapter 58, of the Revised Statutes."

Which was read twice and referred to the Committee on the Judiciary.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT:—The House of Representatives concur with the Senate in passing the resolution relating to a Legislative Directory, with proposals of amendment, in which they request the concurrence of the Senate.

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

MR. PRESIDENT: I am directed by His Excellency the Governor, to communicate to the Senate his annual Message to the General Assembly.

The said annual Message was read and is as follows:

MESSAGE.

Fellow-Citizens of the Senate and House of Representatives:

It affords me much pleasure again to meet you in these halls of legislation, to deliberate upon the welfare of the people of this state, and to make such provisions for their improvement as your wisdom may devise. Since we were last assembled here, our whole country has been in the enjoyment of all the blessings which a bountiful Providence could bestow, and the year has been distinguished by several events which can hardly fail to add to the general prosperity and happiness.

In a spirit of mutual concession and forbearance, the Governments of the United States and Great Britain have, by treaty, succeeded in removing those causes of discord and animosity between the two countries, which had become so alarming, and in laying the foundation for a wise and, I trust, a lasting peace. The negociation of this treaty, conducted, as it has been, with a view to the good of man rather than for the gratification of his passions, is an honor to the age and to the nations engaged in it.

The great interests of our beloved country have also been rescued from the destruction which seemed impending over them, by the wise and magnanimous efforts of Congress to secure a Tariff of duties adequate to protect them. When we look back upon the strife of elements, from which have proceeded the blessings of peace and protection to domestic industry, the two greatest interests, perhaps, which it is the duty of the national government to guard, we find abundant cause for gratitude towards the Disposer of the hearts of men.

We have now every reason to hope that the prosperity of the country

will begin again to revive; nor can we be in immediate danger of repeating those experiments upon it, the fruits of which have already been so bitter. Experience, so dearly purchased, cannot have failed to teach us wisdom and prudence for the future. The trials of adversity, and especially those which are self-inflicted, have their uses for nations not less than for individuals. We have only to look back upon what we have suffered, and upon what we might have enjoyed, to learn the extent of our blindness and folly.

But we should greatly err, in our review of the past, were we to impute all the blame to our rulers. It was ourselves, individually, who were first at fault. We had become too insensible of the inestimable advantages of self government, and of the unceasing watchfulness and activity which such government always demands of those who would enjoy it. We have perhaps yet to learn how eminently, above all other nations, we are blessed in our form of government; but we certainly ought to have discovered, by this time, that, whether we are well or ill governed, must depend wholly on ourselves. If we have intelligence, activity, and energy enough to place and keep in power honest and able rulers, political self-government is undoubtedly the best form of which we have any knowledge; but if we have not these qualities, it is probably the worst. Self-government arms us, for our protection, with the right of suffrage and with the power of enlightening and improving our fellow-men. These have been given us, not to be thrown aside, or neglected at our pleasure, but to be preserved and cherished, as the choicest rights of freemen, and to be diligently and perseveringly used on all occasions. The destinies of our beloved country are, in some degree, in the hands of each one of us, and not only the destinies of our own country, but those of the human race. On our shores liberty has unfurled her standard. If she find sons here worthy to bear it, it will not only continue to wave over our own heads, but it will stand as a signal to other nations. Let us not then be unmindful of our high responsibilities: but let us place our duties to our country and her institutions next after those to religion and our Maker.

In looking back upon the events of the past year, we find reason to be grateful not only that we have escaped the dangers of a foreign, but the horrors of a civil war. Incredible as it may appear, in an age and country like ours, but a few months have elapsed, since, almost in our own neighborhood, sons have been armed against fathers, and brothers against brothers, and trains of artillery have been pointed with deadly intent, while accident alone has prevented the lighting of the match which might have deluged our whole country in blood. I shudder to think that the spirit of party has, so soon, and with so little cause, involved us in a scene like this. The danger we have but just escaped is the greatest and most appalling with which we have been threatened since we became a nation. It was neither imaginary, nor uncertain in magnitude. It attempted to conceal the odious features of rebellion, and assume the more attractive form of justifiable revolution. In this disguise it appeared to, and enlisted the sympathies of those, who had originally no concern with it, and it was then, and not before, that it became the cause of general and well grounded alarm. However we may be divided by state lines, when internal or external wars are threatened, we are but one people. Whatever may be the cause of rebellion, or revolution, in a single state, its consequences can never be confined within its own limits. They will extend throughout the land, and involve, eventually, every member of the Con-

federacy. The flames of civil war are not likely to be lighted up by rebellion against the general government. That has been armed with powers which are abundantly sufficient to quell domestic insurrection. But our peaceful state sovereignties, although authorised to inflict the penalties for treason, are not sufficiently provided against the exigencies of rebellion. Unless, therefore, the general government promptly interferes, under its constitutional power, to suppress it, rebellion against our state governments is the most probable cause which exists of a general civil war.

After escaping from danger, it is natural to look back, that we may see how it occurred, and how it can be avoided for the future. When the colonies, which now form the oldest thirteen states of the Union, separated from the mother country, they generally adopted written constitutions of government, with the right of suffrage more or less restricted, but in none of them universal, and in several, colonial inequalities of representation were preserved. When written constitutions were adopted, they, in most instances, provided modes for their own amendment.

Rhode Island, however, satisfied with the existing form of government, did not adopt a written constitution. On our separation from Great Britain, therefore, the laws of the legislature of that state became the supreme law, and the power of government could not be changed without an act of the legislature, or by revolution. Any change which should be made, however peaceably, unless by law, would, of course, be a revolution, as it would be putting down the existing government, without its own consent, and substituting another in its place.

In all the old states, inequalities in the right of suffrage and representation continued to exist unaltered, till within about twenty years past, unattended by serious complaint, and certainly without the thought of revolution. About that time, in some few of the states, public opinion demanded a change, and a change was accordingly made, without difficulty or violence. In other states, where peaceable modes of altering the constitution are provided, inequalities, nearly or quite as great as those complained of in Rhode Island, have been allowed to exist to this day. In our own state even, unshackled by colonial restraints, we voluntarily formed and have continued a government, whose inequalities of representation are probably equal to those, which, in Rhode Island, were thought to justify a revolution, and that, too, by the sword. But such a revolution can only be justified when the evils of government have become oppressive and intolerable, and when all hope of milder remedies is lost. Such was not the state of things in our sister state, at the time a portion of her citizens thought proper to raise the standard of civil war. We heard no complaints of misgovernment, nor of the suffering of any portion of her people. They were in full possession of the same free government they had always enjoyed, and of the civil rights which are universal in the country. It is true their political privileges were not equal. Some towns had a greater proportion of representation than others, and there were property qualifications for voters. These were the evils, and all the evils complained of.

If it is to be granted, that for reasons like these, government may, at any time, be overturned by violence, we shall never, in this country, be without fruitful causes of civil war. There are inequalities in the right of suffrage and representation in every state; and in none, can greater inequality of representation be found, than at present exists, under our national government, in the Senate of the United States. There, two mil-

lions and a half of the citizens of New York are no more numerously represented than a hundred thousand citizens of Rhode Island.

Considerations like these should satisfy us, that mere theories about government and political rights, unaccompanied by oppression and a privation of civil rights, can never, in this country, justify a resort to the sword. Public opinion is the safe, proper, and certain corrective of all evils of this description. Its operation is gradual, but it is surely better to wait long and patiently for its ultimate effects, than rashly to engage in a savage warfare with each other. Indeed, in Rhode Island, public opinion had already produced its effect, and left those, whose feet were so swift to shed blood, without the slightest excuse. Before they raised the standard of rebellion, the legislature had caused a constitution to be submitted to the people, which it was fully in their power to adopt. It will hardly be deemed a sufficient answer to this, to say, that it was not such in all respects as a portion of the people required. It went almost the whole extent of their demands. It is not desirable that changes in government should be abrupt, in matters about which there is nearly an equal division of opinion. In all well regulated communities, such changes are always gradual, and there cannot be the slightest doubt but that, in Rhode Island, surrounded by free republics, and herself one of their elder sisters, every thing, which could be justly demanded, would, in due time, have been obtained. And, under all the circumstances, the attempt, which was made by a portion of her people, to plunge the state in civil war, deserves, in my judgment, the severest reprehension of every humane citizen, and every lover of his country. And I cannot find words to express my sense of the conduct of those, who, unconcerned in the affairs of that state and remote from the dangers and horrors of the scene, urged on and stimulated her deluded citizens to the enactment of the tragedy which they were so eager to witness.

I have thought it my duty to express these views, because it is a subject of immediate interest to us all, and because a suitable expression of opinion, as to the character of such events, is, perhaps, one of the best means of preventing their recurrence. It is due also to the state of Rhode Island, after having passed through so severe and unexampled a trial, and after the noble exhibition she has made of firmness, wisdom, and forbearance, under circumstances of such extreme difficulty and peril.

There is nothing which so much promotes the love of order in a community as the diffusion of knowledge, and especially of that knowledge which is early instilled into the mind. Those who are prepared, with sound principles and a good education, for the active scenes of life, can hardly fail to make useful, peaceable, and moral members of society. And those who are not thus prepared, though naturally well inclined, may easily be made instruments of disorder and mischief. Society has, therefore, no security, except in the early education of its members. Self-interest is thus made the means of compelling us to discharge the highest of all duties towards our fellow men. That portion of our lives, which is employed most profitably for ourselves and our own children, is probably the time we devote to educating the children of others—as the greatest of all benefits is that of living in a peaceable, moral, and well governed community.

Knowing that you fully unite with me in these sentiments, I do not hesitate again to press upon your attentive consideration the subject of our schools and seminaries of learning. In pursuance of a resolution passed

at your last session, I appointed a committee, charged with the duty of enquiring into their condition and the best means of improving them. Their report, which has not yet been received, will probably be made during the present session, and I entertain the hope that it may greatly benefit the cause of education. There is reason to fear that the individual interest, in our common schools, which was formerly so observable among our citizens, has lately been declining. It would be natural, perhaps, that this should be the case, as, at an early period, these schools depended principally for their support upon the separate arrangements and voluntary contributions of each school district. And, as our schools have become, every year, more and more at the public charge, the necessity of such voluntary support would be less and less felt, and, possibly, the introduction and progress of a new system has been allowed to supplant the old one more rapidly than it should have done. If private interest in the subject has thus been withdrawn, only in proportion to the increase of the public fund even, the effect may have, and probably has, been unfavorable. Individual exertion, which springs from a sense of necessity, is active and zealous; and to render a system of support, in schools at the public expense, an adequate substitute for the voluntary system, it is indispensable that it should be accompanied by some general plan of public superintendance and management. Such a plan should embrace all that is essential to secure a perfect knowledge of the whole subject of education, as it exists throughout the state, a careful application of the school fund, and an adequate support of the necessary schools.

Several states have adopted systems similar to the one I recommend, and I would refer you particularly to that which exists in the state of Massachusetts, and to the reports which are annually made, under it, by an officer charged with the duty of their superintendance. I have been forcibly impressed with the utility of these reports, and, indeed, I am unable to perceive how they can be dispensed with, if our schools are to become objects of public care and support. Without them, it is difficult to understand how the public can ever be possessed of the knowledge necessary to their proper management.

The expense attending such reports, and the examination and enquiries of which they are the result, would not be considerable, and even if it were, it ought to constitute no objection to the plan, if I am correct in my view of its importance. But it seems to me, that, if a wise and efficient system were adopted, and our school fund and schools placed under the immediate care of a faithful officer, a sufficient saving might be made to defray all additional expenses.

Without attempting to present new reasons for a liberal provision for our colleges and higher schools, I would again urge the subject upon your consideration. It is for you to decide how liberal a provision the state of our finances will admit of. But I must be permitted to say, that, in a community like ours, education, in any of its branches, ought not to be suffered to languish, from any motives of economy.

The business prosperity of the people of the state, and the means of improving it, deserve your continued and constant care. While every one si left perfectly free in his own pursuits, it is in the power of government to accomplish many things to which individual efforts would be entirely unequal. Government may in various ways afford salutary aid to the enterprize and industry of its citizens, and it seems to me to be one of its first duties to enquire what it can do to improve them. Our citizens have be-

come so dependent upon the growing of wool, that this article may be said to be the staple of the state, and I regret to say that the extreme depression in its price is not only the cause of present inconvenience, but of uneasiness as to the future. The rich and almost boundless plains of the great West are becoming covered with flocks of sheep, which will soon furnish supplies of wool in such abundance, as, I fear, may seriously affect the sale of our own. But as the West can also produce every thing else cheaper than the Atlantic states, it would be in vain to attempt to compete with them in any other product destined for the general market. Our constant study should therefore be directed to creating and building up a market among ourselves, and to establishing the means of such rapid communication with the markets on the sea-board as would enable us to dispose of our products, without fear of competition from the distant west.

The most obvious means of accomplishing these objects are the introduction of rail-roads, and the encouragement of manufactures and the mechanic arts. Capitalists, confiding in the stability and justice of our legislation, would readily occupy the valuable sites for water power with which our state abounds, were it not for the difficulty of reaching them. This difficulty would be entirely removed by the construction of rail-roads, and they will be constructed when individuals become fully satisfied of their vast importance to our prosperity. Almost unattainable as this object seems, at present, to be, I do not at all despair of its ultimate accomplishment. Obstacles, which at first appear almost insurmountable, will yield, in the end, to public spirit and enlightened self-interest, kept constantly alive.

The establishment of manufactures may be encouraged by a liberal granting of charters, with such provisions as shall secure vested rights against violation or encroachment. I greatly mistake the character of the people of this state, if there should ever be a disposition to disturb them. But it would, nevertheless, be the part of wisdom to offer this, as well as every other possible inducement, to those who have the means and inclination to embark in such undertakings. In the neighborhood of manufactories, population would naturally increase, and the mechanic arts spring up and thrive. A home consumption would thus be created for agricultural products, upon which the farmer could always depend. Certainly no community could secure to itself greater prosperity than ours, by adopting and steadily pursuing this course of policy. No people have been more highly favored than ourselves, by natural advantages, and it will be our own fault if we do not improve them.

The tariff of duties lately passed by Congress will, I have no doubt, greatly increase our prosperity. Yet we must not expect from it miraculous effects. Protection had been so long, so unwisely and unjustly withheld, that the whole country was inundated with foreign manufactures, and our means almost exhausted to pay for them. The consequence has been a universal prostration of all the great interests of the country, from which we cannot expect they will suddenly recover. But let us at least derive some benefit from these self-inflicted evils. They should teach us the necessity of guarding against their recurrence. Already do we see the same spirit of mischief, which produced them, again at work in demanding and threatening a repeal of the Tariff. If we watch and oppose it, as we should, we can have little to fear from it. But its success would be our ruin.

In connection with our internal prosperity, I would again call your at-

tention to the subject of a geological survey of the state. The discovery of mineral wealth would more certainly hasten the establishment of rail roads than any other cause. To this cause, indeed, they owe their invention. But it is principally on account of the direct benefit which agriculture would derive from such a survey, that I am solicitous to see it undertaken. While the agriculturalists of other countries are availing themselves, to so much advantage, of the lights of science, let it not be said that the farmers of Vermont are falling behind the age in agricultural improvements. Similar surveys have already been made, or are now in progress, in most of the sister states, and in no instance have they failed to be attended by results of high importance and value. They have not only determined the locality of suspected ores and other minerals, but have often laid open rich mines of metallic and mineral deposites, in regions where their existence had never before been imagined. The narrow territorial extent of our state, and the ready accessibility of its whole surface, render its thorough examination a task which may be accomplished within moderate limits both of time and expense; and I have no doubt our people would cheerfully bear the light addition to their burdens, arising from the adoption of a measure, which promises not only substantial pecuniary and social benefits, by a developement of our internal resources, but an important contribution to natural science and to those great agricultural and manufacturing interests, which it is among the chief duties of an enlightened community to foster. I would suggest, in this connexion, that a sum more than sufficient to meet the expense of such a survey, is now due to the state from the General Government, arising from the sales of the public lands, under the act of September 4th, 1841.

It will be your duty, during your present session, again to divide the state into districts, for the election of members of Congress. For a long series of years this state has been distinguished, I think I am warranted in saying, above any other, for the moderation and justice with which the prevailing political party has treated the rights and claims of the minority. It is a circumstance in our history of which we may justly be proud, and upon which we shall always look back with satisfaction. An equitable division of the state into congressional districts will furnish us no new matter to boast of; it will be merely an adherence to our established customs.

The militia of the state, the brave successors of those, who, in our revolutionary struggle, acquired such unfading honor, will, I am sure, receive from your hands all the consideration which so important a part of our system deserves. The duty of appointing a committee to revise the militia laws, which you devolved upon me at your last session, has been discharged, and their report will, at an early day, be communicated to you.

In the discharge of my official duties, I have had an opportunity of learning the mode in which the accounts of the state, with many of its officers, have hitherto been kept, and I feel bound to call your particular attention to the subject. There is an urgent and pressing necessity here, for a thorough reform. I have been surprised to find that, from the manner of keeping these accounts, opportunities have so long existed for fraudulent practices. A revision of the laws on this subject is imperatively required, and a system should be adopted which will secure a rigorous and exact accountability of every public officer. Great improvements have recently been made in the systems of other states, and it may be well to avail ourselves of the benefit of their experience. I fear we shall gain little, how-

over, by any attempts at change, unless they are made with a determination to effect a thorough and well matured reform, and to extend it to every officer, immediately or remotely connected with the Treasury. I am relieved from the necessity of entering into greater detail, by the able report of the Auditor, appointed at the last session of the Legislature, which I herewith transmit to you.

In my annual communication last year, I called your attention to several subjects connected with the administration of the General Government, and certain proposed amendments in our Federal Constitution. I allude to the Veto power, the re-eligibility of the President, and the power of removal from office. Subsequent occurrences have strengthened my confidence in the soundness of the views I then expressed; but whether these questions—or that of the distribution of the proceeds of the Public Lands among the several states, to which they have, in my opinion, the clearest right—call for any immediate legislative action, I submit to your judgment and discretion.

CHARLES PAINE.

EXECUTIVE CHAMBER, Octo. 14, 1842.

Mr. Starr moved that three hundred copies of His Excellency's Message be printed for the use of the Senate.

On motion of Mr. Sprague the said resolution was amended by striking out the words "three hundred," and inserting the words "two hundred," and as amended, passed.

The Senate took up the amendments proposed by the House to the Senate resolution relative to a Legislative Directory, which said amendments are as follows:

First—Strike out the word "except" and insert in lieu thereof the word "with."

Second—Strike out the word "four" and insert the word "six."

The Senate concurred in the first of the said amendments, and voted not to concur in the second.

Mr. Briggs called up the report of the Auditor, transmitted with the Governor's message, and on his motion the said report was referred to the Committee on Finance.

The Senate adjourned.

SATURDAY, Oct. 15, 1842.

Prayer by the Chaplain.

The journal of yesterday was read.

(S. 3.) Mr. Briggs introduced a bill entitled "an act in amendment of section 63 of chapter 28 of the Revised Statutes, and to repeal an act therein mentioned."

Which was read the first and second times and referred to the Committee on the Judiciary.

(S. 4.) Mr. Butler introduced a bill entitled "an act abolishing capital punishment."

Which was read the first and second times, and

On motion of Mr. Camp,

Referred to a select committee of three Senators.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT:—The House have passed a resolution providing for the appointment of a Joint Committee to prepare and report Joint Rules of the two Houses, in which they request the concurrence of the Senate.

The said resolution of the House is as follows:

Resolved, by the Senate and House of Representatives, that a joint Committee of three members of the Senate, and three members of the House of Representatives, be appointed by their respective Houses to report Joint Rules.

The Senate passed the same in concurrence.

Mr. Butler introduced the following resolution:

Resolved, That the Committee on Agriculture be instructed to enquire into the expediency of providing by law, for the payment of a bounty on wheat raised in this state, and report by bill or otherwise.

Which was read and passed.

Mr. Plumb introduced the following resolution:

Resolved, That the Committee on Roads and Canals be instructed to enquire into the expediency of amending the 25th section of the 20th chapter of the Revised Statutes, in relation to the opening of highways.

Which was read and passed.

Mr. Camp, from the Committee on Finance, to whom was referred the report of the Auditor communicated with the annual message of the Governor, reported the same in part, and, on his motion, it was

Ordered, That three hundred copies of the said report be printed.

Mr. Blodgett introduced the following resolution:

Resolved, That the Committee on Elections be instructed to enquire whether any person is holding a seat in this Senate, who was ineligible to such office at the time of receiving his election.

Which was read and passed.

The Chair announced the appointment of Mr. Camp, Mr. Briggs, and Mr. Dillingham, as the Committee on the part of the Senate, to prepare and report Joint Rules of the two Houses.

The Senate took into consideration the resolution on the table, introduced yesterday, by Mr. Sheldon, relative to a geological survey of the State.

And it was passed.

On motion of Mr. Stevens,

The Senate adjourned.

AFTERNOON.

Mr. Eaton, a Senator elect from Franklin County, appeared in the Senate Chamber, was sworn, and took his seat.

Mr. Munsill introduced the following resolution:

Resolved, That the Committee on Roads and Canals be instructed to enquire into the expediency of providing, by law, for laying out highways through unorganized towns and gores of land.

Which was read and passed.

(S. 4.) The President announced the appointment of Mr. Butler, Mr. Starr, and Mr. Blodgett, as the select committee on the bill entitled "an act abolishing capital punishment."

(S. 5.) Mr. Butler introduced a bill entitled "an act relating to the punishment of capital crimes."

Which was read the first and second times, and

Referred to the select committee to whom was referred the bill (S. 4,) entitled "an act abolishing capital punishment."

(S. 6.) Mr. Sowles introduced a bill entitled "an act to pay the town of Alburgh the sum therein mentioned."

Which was read the first and second times, and

Referred to the Committee on Claims.

Mr. Hubbell presented the petition of Laura Elizabeth Moore and others, praying for authority to hold real estate.

And said petition was referred to the Committee on the Judiciary.

(S. 7.) Mr. Hatch introduced a bill entitled "an act in addition to an act in relation to the Grand List,"

Which was read the first and second times, and,

Referred to a select committee of three Senators.

The President announced, as such committee, Mr. Hatch, Mr. Field and Mr. Eaton.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President,—The House have passed a resolution providing for a Joint Assembly to elect Judges of the Supreme Court; also to elect a Secretary of State, Auditor of Accounts, and Auditor in the Treasury Department; in which they request the concurrence of the Senate.

The House have resolved to insist on their second proposed amendment to the resolution of the Senate, providing for a Legislative Directory.

A resolution from the House of Representatives, as follows:

Resolved, by the Senate and House of Representatives, That both Houses meet in Joint Assembly, on Tuesday next, at ten o'clock A. M. to elect Judges of the Supreme Court for the year ensuing.

Which was read and passed, in concurrence.

A resolution from the House of Representatives, as follows:

Resolved, by the Senate and House of Representatives, That both Houses meet, in Joint Assembly, on Wednesday next, at three o'clock, P. M. for the purpose of electing a Secretary of State, an Auditor of Accounts against the State, and an Auditor in the Treasury Department for the year ensuing.

Which was read and passed, in concurrence.

The Senate took up the resolution relative to the Legislative Directory returned from the House with the resolution to insist on their proposed amendment, and resolved to recede from their disagreement to the said amendment, and to concur in the same.

Mr. Sheldon moved a reconsideration of the vote of the Senate concurring in the adoption of the resolution from the House of Representatives, providing for a Joint Assembly to elect Judges of the Supreme Court.

And the question being taken,

The Senate refused so to reconsider.

On motion of Mr. Munsill,

The Senate adjourned.

MONDAY, Oct. 17, 1842.

Prayer by the Chaplain.

The Journal of Saturday was read.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT,—The House have passed a resolution providing for the appointment of a Joint Committee, to examine into and report, the condition of the State Library, in which they request the concurrence of the Senate.

The House have, on their part, appointed as the Committee to prepare and report Joint Rules of the two Houses, Mr. Hebard, Mr. Vilas and Mr. Pettibone.

On motion of Mr. Camp, the Senate reconsidered their resolution concurring with the House in passing a resolution providing for a Joint Assembly to elect a Secretary of State, an Auditor of Accounts against the State, and an Auditor in the Treasury Department, for the year ensuing, and

On his motion, the said resolution was laid on the table.

Mr. Sprague introduced the following resolution:

Resolved, That while the products of this State are at the present ruinous low prices, it is an incumbent duty on the Legislature, now in session, to make diligent inquiry into the propriety of reducing all salaries estab-

lished by law; particularly that of the Judges of the Supreme Court, which now is over one hundred and fourteen dollars per month, by the year, to that of eighty-three and one third, and the Committee on Finance be requested to make such inquiry, and report by bill or otherwise.

Which was read, and on motion of Mr. Cutts,

Laid on the table.

Mr. A. Allen introduced the following resolution:

Resolved, That the Committee on the Judiciary be instructed to report a bill extending the jurisdiction of Justices of the Peace to the trial of all actions, on book accounts, where the balance claimed to be due does not exceed one hundred dollars.

Which was read; and the question being taken, it was rejected.

(S. 8.) Mr. Plumb introduced a bill entitled "an act in addition to, and alteration of, Chapters 28, and 103, of the Revised Statutes."

Which was read the first and second times, and referred to the Committee on the Judiciary.

(S. 9.) Mr. Sheldon introduced a bill entitled "an act in addition to, and in alteration of, the act relating to the Grand List, passed November 11, 1841."

Which was read the first and second times, and referred to the select committee on the bill (S. 7,) entitled "an act in addition to an act relating to the Grand List."

The Senate took up a resolution from the House of Representatives, as follows:

Resolved, by the Senate and House of Representatives, That a select committee of three, on the part of each House, be appointed by the two Houses, to examine into and report the condition of the State Library.

And it was passed in concurrence.

On motion of Mr. Briggs, it was

Ordered, That when the Senate adjourn, it adjourn to meet to-morrow morning, at the usual hour.

On motion of Mr. Barrett,

The Senate adjourned.

TUESDAY, OCT. 18, 1842.

Prayer by the Chaplain.

The journal of yesterday was read.

The President announced as the committee on the part of the Senate, to examine into and report the condition of the State Library, Mr. Blodgett, Mr. Barrett, and Mr. Cutts.

Mr. Camp, from the Joint Committee appointed to prepare and report Joint Rules of the two Houses, reported the Rules of the last year, with a proposition to amend the same, by erasing, from Rule 2, all after the words, "Secretary of State," to wit, the words, "but shall not be reported to the Senate, or House of Representatives, or published in their Journals, unless especially so ordered."

The Senate adopted the proposed amendment, and also the Joint Rules, thus amended.

JOINT RULES.

1. A joint assembly shall be formed by a union of the Senate and House of Representatives in the hall of the latter, for the purpose of electing certain State and county officers, in which the Secretary of State, or in his absence the Secretary of the Senate, shall officiate as Clerk. It shall be formed only at such time, and for such specific purpose, as may be expressed in a concurrent resolution of both houses; and may adjourn from time to time during the sitting of the General Assembly.

2. The proceedings of every joint assembly, including the resolutions ordering the same, shall be recorded by the Clerk in a book kept for that purpose, which shall be preserved in the office of the Secretary of State, a copy of which shall be furnished to the Governor by the Secretary of State.

3. Previous to the meeting of any joint assembly, for the purpose of electing county officers, the members of the Senate and House of Representatives, from the several counties, shall convene in county conventions, and make a nomination, for all the officers to be elected in their respective counties, and present the same for the consideration of the joint assembly; and no nomination of any county officers shall be finally acted on by the joint assembly, until the same shall have been submitted to the county convention.

4. The rules of the Senate, so far as applicable, shall be observed in regulating the proceedings of every joint assembly.

5. The committees of the Senate and House of Representatives, to whom the same subject matters shall have been referred, may, for the purpose of facilitating business, meet together as a joint committee, and make a joint or separate report to either or both houses, as they may think expedient.

6. In every case of disagreement between the Senate and House of Representatives, if either shall request a conference and appoint a committee for that purpose, and the other house shall also appoint a committee on its part, such committees shall meet, at a convenient hour, to be agreed upon by their chairman, in the conference room, and state to each other, verbally or in writing, the reasons of each house for its vote on the subject matter of disagreement, confer freely thereon, and make report of their doings to their respective houses as soon as may be.

7. Committees of conference shall consist of an equal number from each house, and shall return the papers referred to them to that house which last voted upon the subject matter of disagreement.

8. When bills are on their passage between the two houses, they shall be under the signature of the Secretary or Clerk of each house respectively.

9. After bills have passed both houses, and a certificate showing the one in which they respectively originated has been duly endorsed thereon,

they shall be delivered to a joint standing committee of two Senators and two members of the House of Representatives, to be designated the Committee on Bills, who shall make careful examination, and see that they are correctly engrossed, and when satisfied of their accuracy, shall present them first to the Speaker of the House of Representatives, and then to the President of the Senate, for their official signatures, and having obtained them, they shall forthwith deliver them to the Governor for his approbation, and shall make true report to both houses of the day on which each bill was so delivered to the Governor, which shall be duly entered upon the journal of each house.

10. When a bill or resolution, which shall have passed one house, is rejected in the other, notice thereof shall be given to the house in which the same shall have passed; and all such rejected bills or resolutions, with the accompanying papers, shall be returned to, and left in custody of, the house which first acted upon them.

11. Each house shall transmit to the other all papers on which any bills or resolution shall be founded; and should such bills or resolutions pass both houses, the same papers shall be delivered to the Governor.

12. After each house shall have adhered to the vote of disagreement, a bill or resolution shall be lost.

13. No bill, which shall have passed one house, shall be sent for concurrence to the other on either of the two last days of the session.

Mr. Camp called up the resolution from the Honse of Representatiaes, on the table, providing for a Joint Assembly to elect a Secretary of State, an Auditor of Accounts against the State, and an Auditor in the Treasury Department.

And the said resolution was passed in concurrence.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President:—The House have passed a resolution providing for a Joint Assembly to elect a Senator to represent the State in the Congress of the United States for six years from the 4th day of March, 1843, in which they request the concurrence of the Senate.

The House have, on their part, adopted the Joint Rules, reported by the Committee of the two Houses.

Mr. Smalley presented the petition of Daniel Preston and others, which was read and referred to the Committee on the Judiciary.

Mr. Cutts called up the resolution on the table, presented by Mr. Sprague, relative to reducing the salaries of Judges of the Supreme Court and other officers, and moved to amend the same by striking out all after the word "Resolved," and inserting, in lieu thereof, the words "That the Committee on Finance be directed to enquire into the expediency of making any alteration in the salaries, either of the Judges of the Supreme Court, or of any other officers."

And on the question, Will the Senate so amend the resolution? the yeas and nays having been demanded by Mr. Sprague, were as follows:

The Senators who voted in the affirmative are,

Messrs. A. Allen, E. Allen, Barrett, Bartlett, Briggs, Butler, Camp, Cutts, Dillingham, Dutton, Eaton, Field, French, Green, Hatch, Hubbell, Munsill, Plumb, Porter, Sheldon, Sowles, Starr, Stevens, Townsley, Wright—25.

Those Senators who voted in the negative are,

Messrs. Aikin, Bingham, Blodgett, Sprague—4.

So the amendment was adopted, and the resolution as amended was passed.

Mr. Smalley introduced the following resolution:

Resolved, That so much of the Governor's message as relates to the attempt of the citizens of Rhode Island to form a constitution for their government, be referred to a select Committee of three, with directions to make report thereon.

Which was read and passed.

(S. 10.) Mr. French introduced a bill entitled "an act in addition to chapter 24 of the Revised Statutes."

Which was read the first and second times and referred to the Committee on the Judiciary.

A resolution from the House of Representatives, as follows:

Resolved, by the Senate and House of Representatives, That both Houses respectively proceed, at 10 o'clock A. M., on Wednesday next, to elect a Senator to represent the State, in the Congress of the United States, for six years from the 4th day of March 1843, and that both Houses meet in the Representatives Hall, immediately thereafter, to complete said election.

Was taken up, and Mr. Briggs moved to amend the same, by inserting, after the words "4th day of March, 1843," the words "and to represent the State in the Congress of the United States, for the unexpired term of the Hon. Samuel Prentiss."

Which proposed amendment was rejected.

Mr. Cutts moved that the resolution be laid on the table.

Which motion was rejected.

And the original resolution was passed, in concurrence.

Mr. Plumb moved to reconsider the vote by which the resolution introduced by Mr. A. Allen, relative to extending the jurisdiction of justices was rejected.

Pending this motion,

On motion of Mr. Sowles,

The Senate adjourned.

AFTERNOON.

The President announced the appointment of Mr. Smalley, Mr. Briggs, and Mr. Dutton, as the select committee on the resolution introduced by Mr. Smalley, providing for a reference of that portion of the Message of His Excellency, the Governor, relating to the State of Rhode Island.

On motion of Mr. Plumb,

The Senate reconsidered the vote of yesterday rejecting the resolution introduced by Mr. A. Allen, relative to extending the jurisdiction of jus-

tices of the peace, and the said resolution having, on motion of Mr. Briggs, been so amended as to read as follows:

"*Resolved*, That the Committee on the Judiciary be instructed to enquire into the expediency of extending the jurisdiction of justices of the peace to the trial of all actions on book accounts, where the balance claimed to be due does not exceed one hundred dollars."

Was passed.

(S. 11.) Mr. Bartlett introduced a bill entitled "an act in addition to chapter 109 of the Revised Statutes."

Which was read twice and referred to the Committee on the Judiciary.

(S. 12.) Mr. E. Allen introduced a bill entitled "an act in alteration of the sixteenth section of the eighty-eighth chapter of the Revised Statutes."

Which was read twice and referred to the Committee on Agriculture.

On motion of Mr. Dillingham,

The Senate adjourned.

WEDNESDAY, Oct. 19, 1842.

Prayer by the Chaplain.

The journal of yesterday was read.

The President announced the appointment of Mr. E. Allen, and Mr Green, as the Committee on Bills, on the part of the Senate.

Mr. Briggs introduced the following resolution:

Resolved, by the Senate and House of Representatives, That the proceedings in the election of Senator to represent this State in the Senate of the United States—as provided for in a joint resolution which has been passed—be postponed till Friday next, at 10 o'clock forenoon.

Which was read and passed.

(S. 13.) Mr. Butler introduced a bill entitled "an act altering the name of Gilman Sinclair."

Which was read the first and second times, and

Ordered, To lie on the table.

(S. 14.) Mr. Butler introduced a bill entitled "an act in addition to chapter 24 of the Revised Statutes."

Which was read the first and second times, and referred to the Committee on the Judiciary.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT,—The House concur with the Senate in passing a res-

olution providing for the postponement of the election of a Senator to represent this State in the Senate of the United States.

Mr. Butler introduced the following resolution:

Resolved, That the Committee on Finance be instructed to inquire into the expediency of limiting by law, the fees of Auditors of Accounts appointed by County Courts, and report by bill or otherwise.

Which was read and passed.

On motion of Mr. Briggs,

The Senate adjourned.

AFTERNOON.

(S. 15.) Mr. Hatch introdnced a bill entitled "an act relating to claims," which was read the first and second times, and referred to the Committee on Finance.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President:—The House have passed a resolution relative to a repeal of the U. S. Bankrupt Law, and a resolution providing for a Joint Assembly to elect a Superintendent and three Directors of the State Prison, in which they request the concurrence of the Senate.

Resolutions from the House of Representatives, as follows:

Resolved, by the Senate and House of Representatives, That our Senators in Congress be instructed, and our Representatives requested to use their best exertions and influence to procure the repeal of the act passed at the extra session in 1841, entitled "an act to establish a uniform system of bankruptcy throughout the United States."

Resolved, That his Excellency, the Governor, be requested to transmit a copy of the foregoing resolution, to each of our Senators and Representatives in Congress.

Were read, and on motion of Mr. Briggs,

Ordered to lie on the table.

A resolution from the House of Representatives, as follows:

Resolved, by the Senate and House of Representatives, That the two Houses meet in Joint Assembly, on Tuesday next, at ten o'clock A. M. to elect a Superintendent and three Directors of the State Prison.

Was read, and on motion of Mr. Porter, amended by inserting, after the word "Superintendent" the word "Chaplain," and thus amended, the resolution was passed in concurrence.

Mr. Briggs, from the Committee on the Judiciary, to whom were referred the resolutions, relative to Jail Yard limits, and to extending the Jurisdiction of Justices of the Peace, reported the opinion of the Committee to be, that no legislative action is demanded thereon.

(S. 16.) Mr. Cutts introduced a bill entitled "an act in addition to an act entitled 'an act for the relief of the Insane Poor.'"

Which was read the first and second times, and referred to the Committee on the Judiciary.

Mr. Butler introduced the following resolution:

Resolved, That the Committee on Finance be instructed to inquire into the expediency of reducing the fees of witnesses imposed in Auditors' and Referees' Courts, and report by bill or otherwise.

Which was read and passed.

(S. 17.) Mr. French introduced a bill entitled "an act repealing part of section 14 of chapter 15 of the act regulating and governing the Militia."

Which was read the first and second times, and referred to the Committee on Military Affairs.

(S. 14.) Mr. Dillingham, from the Committee on the Judiciary, to whom was referred the bill entitled "an act in addition to chapter 24 of the Revised Statutes," reported the same, with a recommendation to amend by striking out all after the enacting clause, and inserting in lieu thereof, the following:

"That all suits in chancery by bill for the foreclosure of mortgages, shall be brought and tried in the county where the mortgaged premises, or some portion thereof, shall be situated," and that thus amended the bill be passed.

The said amendment was adopted, and the bill was

Ordered, To be laid on the table.

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

Mr. President: I am directed by His Excellency the Governor, to communicate to the Senate, for the use of the General Assembly, certain documents received from other States of the Union.

The said documents being from the States of Connecticut, Kentucky, Georgia, Alabama, Maryland, Maine, Massachusetts, Rhode Island, New York, South Carolina, Tennessee, Mississippi, New Jersey, and from the City of Alexandria, in the District of Columbia, were severally referred to a select Committee of three Senators.

The Senate adjourned.

Thursday, Oct. 20, 1842.

Prayer by the Chaplain.

The Journal of yesterday was read.

The President announced the appointment of Mr. Starr, Mr. Bartlett, and Mr. Eaton, as the select committee directed to be raised on the reso-

lutions from other States, communicated yesterday, for the use of the General Assembly, by His Excellency the Governor.

(S. 18.) Mr. Butler introduced a bill entitled "an act relating to fees of auditors, referees and witnesses."

Which was read twice and referred to the Committee on Finance.

(S. 19.) Mr. Sheldon introduced a bill entitled "an act relating to fox certificates."

Which was read twice and referred to the Committee on Finance.

(S. 20.) Mr. Bartlett introduced a bill entitled "an act to pay the persons therein named the sum therein mentioned."

Which was read twice and referred to the Committee on Claims.

(S. 21.) Mr. Bartlett introduced a bill entitled "an act for the relief of Salma Davis and others."

Which was read twice and referred to the Committee on the Judiciary.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT:—The House of Representatives concur with the Senate in their proposed amendment to the resolution relating to the election of Superintendent and Directors of the State Prison.

The House have passed a resolution providing for the election of a Reporter of the decisions of the Supreme Court, three Commissioners of the deaf, dumb and blind, and a Sergeant-at-Arms, in which they request the concurrence of the Senate.

A resolution from the House of Representatives, as follows:

Resolved, by the Senate and House of Representatives, That the two Houses meet in Joint Assembly, on Tuesday next, at ten o'clock A. M., to elect a Reporter of the decisions of the Supreme Court, Commissioners of the deaf, dumb and blind, and a Sergeant-at-Arms,

Was read and passed in concurrence.

Mr. Sowles presented the petition of Sylvester Phelps and Jedediah P. Ladd, and on his motion, the same was referred without reading, to the Committee on the Judiciary.

Mr. Smalley called up the bill (S. 14,) reported yesterday by the Committee on the Judiciary, with amendments, which were adopted by the Senate, and on his motion, the said bill was recommitted to said Committee for further amendment.

(S. 22.) Mr. Eaton introduced a bill entitled "an act in addition to chapter 69 of the Revised Statutes."

And the said bill was read twice and on his motion referred to the Committee on Agriculture.

(S. 11.) Mr. French, from the Committee on the Judiciary, to whom was referred the bill entitled "an act in addition to chapter 109 of the Revised Statutes," reported the same with amendments, which on the demand of Mr. Briggs were considered by the Senate as in Committee of the Whole.

The Committee having made progress therein, rose and reported the bill to the Senate, with amendments, which were adopted, and the bill laid on the table.

(S. 23.) Mr. Hubbell, on leave, introduced a bill entitled "an act to incorporate the St. Albans Steam Mill and Transportation Company."

Which was read twice and referred to the Committee on Manufactures.

The Senate adjourned.

AFTERNOON.

Mr. Blodgett, on leave, presented the petition of Lebbeus Edgerton, praying for the payment of a sum of money alledged to be due to him from the State.

Which was read and referred to the Committee on Claims.

The Senate took up the resolutions from the House of Representatives, on the table, relative to a repeal of the Bankrupt Law.

And on the question, Shall the resolutions pass? the yeas and nays having been demanded by Mr. Blodgett, were as follows:

Those Senators who voted in the affirmative are,

Messrs. A. Allen, E. Allen, Barrett, Bartlett, Bingham, Blodgett, Briggs, Butler, Camp, Cutts, Dillingham, Dutton, Eaton, Field, French, Green, Hatch, Hubbell, Munsill, Plumb, Porter, Sheldon, Smalley, Sprague, Stevens, Townsley, Wright—27.

So the resolutions were passed in concurrence.

A message from the Governor by Mr. Hale, Secretary of Civil and Military Affairs:

Mr. President:—I am directed by his Excellency, the Governor, to communicate to the Senate, for the use of the General Assembly, the report of the Bank Commissioner, and that of the Bank Inspector.

(S. 11.) The Senate, on motion of Mr. Blodgett, took into consideration the bill entitled "an act in addition to chapter 97 of the Revised Statutes."

Mr. Blodgett moved to amend the same by adding the following, as an additional section:

"Section 2. Any sheriff, sheriff's deputy, constable, or other person, having charge of the Jury empanneled by a Justice of the Peace for the trial of any cause, who shall, in like manner offend, shall be punished by a fine not exceeding two hundred dollars."

Which amendment was adopted, and thus amended, the bill was

Ordered to be engrossed and read the third time.

The Senate took up the report of the Bank Commissioner, communicated by his Excellency the Governor, and without reading, it was

Ordered to lie upon the table.

The Senate took up the Report of the Bank Inspector, and it was read, and referred to the Committee on Banks.

On motion of Mr. Smalley,

The Senate adjourned.

FRIDAY, OCT. 21, 1842.

Prayer by the Chaplain.

The journal of yesterday was read.

Mr. Smalley presented the petition of Lucius Sanderson, which was read and referred to the Committee on Claims.

(S. 24.) Mr. Field introduced a bill entitled "an act to alter the act relating to the Grand List."

Which was read twice and referred to the Committee raised on the subject of the Grand List.

(S. 25.) Mr. A. Allen introduced a bill entitled "an act extending the jurisdiction of Justices of the Peace, in certain cases."

Which was twice read, and referred to a select committee of three senators.

The President appointed as such Committee, Mr. A. Allen, Mr. Bingham and Mr. Townsley.

Mr. Eaton was discharged on his own motion from further service on the select committee raised on the subject of the Grand List.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT,—I am directed to inform the Senate that the House are now ready, on their part, to proceed to the election of a Senator to represent this State in the Congress of the U. S. for six years from the 4th of March, 1843, in conformity with the concurrent resolution of both Houses.

On motion of Mr. Camp,

Ordered, That a message be sent to the House of Representatives, informing them that the Senate are ready, on their part, to proceed to the election of a Senator to represent the State in the Congress of the United States for the term of six years from the 4th of March next.

Pursuant to the joint resolution of both Houses, the Senate proceeded to ballot for Senator in Congress.

Mr. Camp presented the name, by nomination, of William Upham, and Mr. Dillingham that of Wm. C. Bradley.

The ballots having been taken and examined, William Upham was found to have received a majority of the votes.

Whereupon,

HON. WILLIAM UPHAM,

was declared to be duly elected, on the part of the Senate, to represent the State in the Congress of the United States for the term of six years from and after the 3d day of March next.

On motion of Mr. Briggs,

Ordered, That a message be sent to the House of Representatives, informing them that the Senate having, on their part, made choice of a Senator, to represent the State in the Congress of the United States, are ready

to meet the House in Joint Assembly, compare proceedings and complete the election.

A message from the House of Representatives, by Mr. Merrill, their Clerk :

MR. PRESIDENT,—I am directed to inform the Senate, that the House, having, on their part, made choice of a Senator, to represent this State in the Congress of the United States, are ready to meet the Senate in Joint Assembly, to compare proceedings and complete the election.

On motion of Mr. Briggs,
The Senate adjourned.

AFTERNOON.

(S. 12.) Mr. Sowles, from the Committee on Agriculture, to whom was referred the bill entitled "an act in alteration of the sixteenth section of the 88th chapter of the Revised Statutes," reported the same without amendment, and it was on motion of Mr. Camp, laid upon the table.

(S. 22.) Mr. Sowles, from the same Committee, reported the bill entitled "an act in addition to chapter 69 of the Revised Statutes," with an amendment, which was adopted, and the bill, as amended, ordered to be engrossed and read the third time.

(S. 10.) Mr. Briggs, from the Committee on the Judiciary, reported the bill entitled "an act in addition to chapter 24 of the Revised Statutes," with the opinion of the Committee that it ought not to pass.

And the question, shall the bill be engrossed and read the third time? was decided in the negative.

(S. 2.) Mr. Briggs, from the same Committee, reported in favor of the passage of the bill entitled "an act to repeal the 22d section, chapter 58 of the Revised Statutes," and it was

Laid on the table.

Mr. Dillingham, from the same Committee, reported that the prayer of the petition of Daniel Preston and others ought not to be granted, and that the petitioners have leave to withdraw their petition; which was granted.

Mr. Dillinghan, from the same Committee, reported in favor of the petition of Laura Elizabeth Moore, with the recommendation that the petitioner have leave to bring in a bill.

(S. 8.) Mr. French, from the same Committee, reported adversely to the passage of the bill entitled "an act in addition to, and in alteration of chapters 28 and 103 of the Revised Statutes," and it was laid on the table

(S. 16.) Mr. French, from the same Committee, reported the bill entitled

"an act in addition to an act for the relief of the insane poor," with an amendment, and it was laid on the table.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT,—The House of Representatives have passed a resolution relating to the pay and mileage of members of Congress, in which they request the concurrence of the Senate.

The said resolution was taken up, and ordered to be laid on the table.

The Chair announced the appointment of Mr. Hubbell on the Committee raised on the subject of the Grand List, in place of Mr. Eaton, who on his own motion, had been discharged from further service on said Committee.

On motion of Mr. Briggs,

The Senate adjourned.

SATURDAY, Oct. 22, 1842.

Prayer by the Chaplain.

The Journal of yesterday was read.

Mr. Munsill introduced the following resolution:

Resolved, by the Senate and House of Representatives, That both Houses respectively, proceed at 10 o'clock A. M. on Wednesday next, to elect a Senator to represent this State in the Congress of the United States, to supply the vacancy occasioned by the resignation of the Hon. Samuel Prentiss; and that both Houses meet in the Representatives' Hall, immediately thereafter, to complete said election.

Which was read, and

On motion of Mr. Briggs,

Ordered, To lie upon the table.

Mr. Sheldon introduced the following resolution:

Resolved, That the Committee on Education be instructed to enquire into the expediency of passing a law, directing the inhabitants of each town in this State, at their annual meeting in March of each year, to appoint a committee to examine school teachers; and also to enquire into the expediency of passing a law, withholding from every school district which does not employ a teacher approved by said examining committee, the public school money which would otherwise belong to it.

Which was read and passed.

(S. 20.) Mr. Cutts, from the Committee on Claims, to whom was referred the bill entitled "an act to pay the persons therein named the sum

therein mentioned," reported the same, with the proposal to fill the blank in said bill with the sum, "sixty dollars and thirty cents," and the recommendation that the bill thus completed pass.

The blank was ordered to be so filled, and the bill was

Ordered, To be engrossed and read the third time.

(S. 12.) On motion of Mr. Camp, the Senate took into consideration the bill on the table, entitled "an act in alteration of the 16th section of the 88th chapter of the Revised Statutes."

And on the question, Shall the bill be engrossed and read the third time? the yeas and nays are as follows:

Those Senators who voted in the affirmative are,

Messrs. A. Allen, E. Allen, Barrett, Butler, Plumb, Sowles, and Townsley—7.

Those Senators who voted in the negative are,

Messrs. Aiken, Bartlett, Bingham, Blodgett, Briggs, Camp, Cutts, Dillingham, Dutton, Eaton, Field, French, Green, Hatch, Hubbell, Munsill, Porter, Sheldon, Smalley, Sprague, Starr, Stevens, Wright—23.

So the third reading was refused.

Mr. Field, from the Committee on Roads and Canals, to whom was referred the resolution relative to the opening of highways, reported the opinion of the committee to be that no legislative action is needed thereon.

(S. 26.) Mr. Field introduced a bill entitled "an act in addition to the 26th section of the 21st chapter of the Revised Statutes."

Which was read the first and second times and

Ordered, To lie upon the table.

A message from His Excellency the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

MR. PRESIDENT:—I am directed, by His Excellency the Governor, to communicate to the Senate a message in writing.

(S. 16.) On motion of Mr. Cutts, the Senate took into consideration the bill on the table, entitled "an act in addition to an act for the relief of the Insane poor," and on his motion,

Ordered, That the bill, together with the report of the Committee on the Judiciary accompanying the same, be recommitted to said Committee.

(S. 27.) Mr. Dutton introduced a bill entitled "an act altering the 6th and defining the 32d section of the 45th chapter of the Revised Statutes."

Which was read the first and second times, and referred to the Committee on the Judiciary.

The following communication was received from His Excellency the Governor:

To the Senate:

I have the honor to transmit to the Senate, for the use of the General Assembly, the report of the Committee ordered to be appointed at your last session, on the subject of education.

I have also transmitted to the House of Representatives the bill reported by the Committee appointed to revise the Militia Laws.

CHARLES PAINE.

EXECUTIVE CHAMBER, }
Octo. 22, 1842. }

The report accompanying the said communication was read, and

Mr. Eaton moved that the same be laid on the table and that the Secretary procure to be printed for the use of the Legislature, six hundred copies thereof.

Mr. Townsley moved to amend said motion by inserting the words, "one thousand" in lieu of the words "six hundred," which motion was lost.

Mr. Briggs moved to amend by inserting the words "three hundred" in lieu of "six hundred," and the said amendment was adopted; and the motion, as amended, prevailed.

On motion of Mr. Sowles,

The Senate adjourned.

AFTERNOON.

Mr. Stevens introduced the following resolution:

Resolved, That the select committee on the bill relating to the Grand List, &c. be instructed to inquire into the expediency of so amending the law relative to the Grand List, as not to deduct the amount of the debts due from any person from his list."

Which was read and passed.

Mr. Camp called up the report of the Bank Commissioner, and on motion of Mr. Hatch it was referred to the Committee on Banks.

Mr. Hubbell, on his own motion, was discharged from further serving on the Committee raised on the subject of the Grand List.

(S. 18.) Mr. Bartlett, from the Committee on Finance, to whom was referred the "act relating to the fees of referees, auditors and witnesses," and the resolution relating to the same subject, reported said bill with amendments, and the bill, together with the amendments, was

On motion of Mr. Bartlett, laid on the table.

On motion of Mr. Cutts,

The Senate adjourned.

MONDAY, Oct. 24, 1842.

Prayer by the Chaplain.

The Journal of yesterday was read.

The President announced the appointment of Mr. Butler, on the select committee on the subject of the Grand List, in the place of Mr. Hubbell, excused.

(S. 28.) Mr. Cutts, from the Committee on Claims, to whom was referred the petition of Lebbeus Edgerton, reported a bill entitled "an act to pay Lebbeus Edgerton the sum therein mentioned,"

Which was read the first and second times, and

Ordered to be engrossed and read the third time.

(S. 29.) Mr. Dutton introduced a bill entitled "an act in addition to chapter 44 of the Revised Statutes,"

Which was read the first and second times, and referred to the Committee on the Judiciary.

Mr. Wright presented the petition of James S. Merrill and others, praying for an amendment of the law relating to the trustee process,

Which was read, and referred to the Committee on the Judiciary.

(S. 6.) Mr. Cutts, from the Committee on Claims, to whom was referred the bill entitled "an act to pay the town of Alburgh the sum therein mentioned," reported the same, with the proposal to amend by striking out the words "eighty dollars and twenty-nine cents," and inserting in lieu thereof, the words "seventy-five dollars and sixty-six cents," and that thus amended, the bill ought to pass.

The Senate ordered the bill to be so amended, and on motion of Mr. Townsley, it was laid on the table.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT:—The House have passed a resolution providing for the election of a Senator to represent this State in the Congress of the United States, to supply the vacancy occasioned by the resignation of the Hon. Samuel Prentiss, in which they request the concurrence of the Senate.

The House have appointed Mr. Jones of Waitsfield, Mr. Parker and Mr. Carter, as the Committee, on their part, to examine into, and report the condition of the State Library.

(S. 25.) Mr. A. Allen, from the select committee to whom was referred the bill entitled "an act extending the jurisdiction of Justices of the Peace, in certain cases," reported the same, without amendment, and, on motion of Mr. Eaton, it was

Ordered to lie on the table.

A resolution from the House of Representatives, as follows:

Resolved, by the Senate and House of Representatives, That both Houses respectively, on Wednesday next, at ten o'clock, A. M. shall proceed to elect a Senator to represent this State in the Congress of the United States, to supply the vacancy caused by the resignation of the Hon. Samuel Prentiss, and that both Houses immediately thereafter shall convene in Joint Assembly, to complete said election.

Was read and passed in concurrence.

On motion of Mr. E. Allen,

The Senate adjourned.

AFTERNOON.

(S. 30.) Mr. Dutton introduced a bill entitled "an act defining the 50th section of the 68th chapter of the Revised Statutes."

Which was read the first and second times and referred to the Committee on Manufactures.

Mr. Hubbell, from the Committee on Claims, asked that the committee be discharged from the further consideration of the petition of Lucius Sanderson.

Which was granted, and

On motion of Mr. Smalley,

The petition was referred to the Committee on Military Affairs.

The President laid before the Senate the petition of Richard F. Abbott, praying for remuneration for certain ropes belonging to petitioner, and alledged to have been used for the State.

Which was read and referred to the Committee on Claims.

(S. 31.) Mr. Briggs introduced a bill entitled "an act in relation to actions on scire facias."

Which was read the first and second times and referred to the Committee on the Judiciary.

The Senate took up the following engrossed bills:

(S. 26.) "An act to pay the persons therein named the sum therein mentioned," and

(S. 22.) "An act in addition to chapter 69 of the Revised Statutes."

Which were severally read the third time and passed; and

(S. 11.) "An act in addition to chapter 97 of the Revised Statutes."

Which was read the third time and

Ordered, To be recommitted to the Committee on the Judiciary.

Mr. Hatch introduced the following resolution:

Resolved, That the Committee on Military Affairs be directed to enquire what amount has been paid from the Treasury of this State for expenses incurred in protecting the frontier towns during the late insurrectionary troubles in Canada; and if such amount has been presented for allowance to the Government of the United States.

Which was read and passed.

(S. 8.) The Senate took into consideration the bill on the table, entitled "an act in addition to, and alteration of, chapters 28 and 103 of the Revised Statutes."

Mr. Plumb moved to amend the same by inserting after the words "Revised Statutes" in section 3 of said bill, the words "and an act in amendment of section 63d of chapter 28 of the Revised Statutes, passed Nov. 9, 1841."

On motion of Mr. Dillingham,

The said bill, with the amendment proposed, was

Ordered to lie on the table.

(S. 11.) Mr. Briggs, from the Committee on the Judiciary, to whom was recommitted the engrossed bill entitled "an act in addition to chapter 97 of the Revised Statutes," reported the same with a proposal to amend by striking out from section 2, the words "sheriff, sheriff's deputy."

Which amendment was adopted, and the bill as amended passed.

On motion of Mr. Camp,

The Senate adjourned.

TUESDAY, Oct. 25, 1842.

Prayer by the Chaplain.

The journal of yesterday was read.

(S. 32.) Mr. Hubbell introduced a bill entitled "an act for the benefit of Laura Elizabeth Moore and others."

Which was read the first and second times, and

Ordered to be engrossed and read the third time.

Mr. Butler, on his motion, was excused from service on the select committee on the subject of the Grand List.

(S. 33.) Mr. Field introduced a bill entitled "an act to pay Simeon Herrick the sum therein mentioned," which was read the first and second times, and referred to the Committee on Military Affairs."

(S. 35.) Mr. Eaton introduced a bill entitled "an act to pay Ebenezer W. Babcock the sum therein mentioned."

Which was read the first and second times, and referred to the Committee on Claims.

(S. 34.) Mr. Dutton introduced a bill entitled "an act defining the 4th and 6th clauses of the 1st section of the 47th chapter of the Revised Statutes."

Which was read the first and second times, and referred to the Committee on the Judiciary.

Mr. Butler introduced the following resolution:

Resolved, That the select Committee on the Grand List, be instructed to inquire into the expediency of altering the listing law so as to give persons assessed for money on hand and debts due, the right of appeal to the select men of the town; also to make it the duty of every person wishing to exempt his personal property from taxation, to disclose to the listers, in writing, and on oath, the names of the persons to whom he is indebted, and also the names of those who are indebted to him, together with the amount of each debt.

Which was read and passed.

Mr. Porter introduced the following resolution:

Resolved, That the select Committee on the Grand List, be instructed to enquire into the expediency of so amending the law of last session relating to the Grand List, that attorneys, physicians, manufacturers, and mechanics, may be assessed for their faculty; and report by bill or otherwise.

Which was read and passed.

The Chair announced the appointment of Mr. Bartlett, as one of the Committee on the Grand List, in the place of Mr. Butler, excused.

(S. 36.) Mr. Field introduced the bill entitled "an act to alter the act relating to the Grand List."

Which was read the first and second times, and referred to the select Committee on the Grand List.

Mr. Hubbell introduced the following resolution:

Resolved, That the select Committee on the Grand List be instructed to inquire into the expediency of repealing the law of last session in relation to the Grand List, and report by bill, or otherwise.

Which was read and passed.

(S. 37.) Mr. Eaton introduced a bill entitled "an act relating to Banks."

Which was read the first and second times, and referred to the Committee on Banks.

Mr. Briggs, from the Committee on the Judiciary, to whom was referred the petition of Sylvester Phelps and Jedediah P. Ladd, praying compensation for a quantity of tobacco taken, seized, and condemned, under the Vermont non-intercourse act, in the year 1813, reported adversely to the prayer of petitioners, and recommended that they have leave to withdraw their petition.

Which was granted.

(S. 38.) Mr. Eaton introduced a bill entitled "an act constituting a Board of Education, and a general supervision of common schools."

Which was read the first and second times, and

Ordered to lie on the table, and that the Secretary procure it to be printed in connexion with the report of the Committee on the subject of Education.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President,—The House have passed a bill (H. 64,) entitled "an act to pay William Cutts the sum therein mentioned"; and a resolution relative to a day of Thanksgiving throughout the State, in which they request the concurrence of the Senate.

(S. 18.) On motion of Mr. Butler, the Senate took into consideration the bill and amendment on the table, entitled "an act relating to the fees of referees, auditors and witnesses."

Mr. Butler moved to amend the amendment by inserting the following:

"Sec. 2. Witnesses used on the trial of any cause pending before referees or auditors, shall be entitled to the same fees as witnesses attending a justice's court."

Which amendment was rejected.

Mr. Camp moved to amend the amendment by striking out the word "four" and inserting the word "three" in lieu thereof.

Which amendment was rejected; whereupon,

On motion of Mr. Briggs,

Ordered that the further consideration of the bill be postponed indefinitely.

On motion of Mr. Plumb,

The Senate adjourned.

AFTERNOON.

(S. 6.) On motion of Mr. Sowles, the Senate took into consideration the bill entitled "an act to pay the town of Alburgh the sum therein mentioned," and it was

Ordered to be engrossed and read the third time.

The Senate took up the resolution from the House of Representatives, relating to a day of public Thanksgiving, and resolved not to concur in its passage.

Mr. Aiken presented the petition of Rufus W. Smith and others, and it was referred to the Committee on the Judiciary.

(H. 64.) The bill from the House of Representatives, entitled "an act to pay William Cutts the sum therein mentioned,"

Was read twice, and referred to the Committee on Claims.

(S. 28.) The Senate took up the engrossed bill entitled "an act to pay Lebbeus Edgerton the sum therein mentioned,"

And it was read the third time and passed.

(S. 32.) The engrossed bill entitled "an act for the benefit of Laura E. Moore and others,"

Was taken up, read the third time and passed

On motion of Mr. Sprague,

The Senate adjourned.

WEDNESDAY, OCT. 26, 1842.

Prayer by the Chaplain.

The journal of yesterday was read.

Mr. Bartlett asked to be excused from serving on the select committee raised on the subject of the Grand List, and he was excused.

(S. 39.) Mr. Sheldon introduced a bill entitled "an act in addition to chapter 21 of the Revised Statutes."

And it was read the first and second times, and referred to the Committee on Roads and Canals.

The President announced the appointment of Mr. Wright as one of the select committee on the Grand List, in the place of Mr. Bartlett, excused.

(S. 40.) Mr. Townsley introduced a bill entitled "an act for surveying and ascertaining the boundary line between the counties of Bennington and Windham."

And it was read the first and second times, and referred to a select committee composed of the Senators from Bennington and Windham Counties.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT:—The House have passed bills of the following titles:

(H. 17.) "An act annexing Johnson's Island to the town of St. Albans,"

(H. 66.) "An act constituting Samuel F. Smith an heir at law of Harry Holden," and

(H. 67.) "An act to credit the town of Manchester the sum therein mentioned,"

In which they request the concurrence of the Senate.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT,—I am directed to inform the Senate that the House of Representatives, in conformity with a concurrent resolution of both Houses, are ready, on their part, to proceed to ballot for a Senator to represent the State in the Congress of the United States, to supply the vacancy occasioned by the resignation of the Hon. Samuel Prentiss.

On motion of Mr. Camp,

Ordered, That a message be sent to the House of Representatives informing them that the Senate are ready, on their part, to proceed, in pursuance of the joint resolution of the two Houses, to ballot for a Senator to represent this State in the Congress of the United States for the unexpired term of the Hon. Samuel Prentiss, resigned.

Whereupon the Senate proceeded, in conformity with the joint resolution of the two Houses, to ballot for a Senator in Congress, to supply the vacancy caused by the resignation of the Hon. Samuel Prentiss; and, the ballots having been taken and examined, the

HON. SAMUEL C. CRAFTS,

was found to have a majority thereof, and to be duly elected on the part of the Senate.

On motion of Mr. Briggs,

Ordered, That a message be sent to the House of Representatives, informing them that the Senate, having, on their part, made choice of a Senator in Congress, to supply the vacancy occasioned by the resignation of the Hon. Samuel Prentiss, are now ready to meet the House in Joint Assembly, compare proceedings, and proceed to complete the election.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT:—I am directed to inform the Senate that the House, having made choice, on their part, of a Senator in Congress to supply the vacancy occasioned by the resignation of the Hon. Samuel Prentiss, are now ready to meet the Senate in Joint Assembly, to compare proceedings, and complete said election.

(S. 41.) Mr. Blodgett introduced a bill entitled "an act relating to highways,"

And it was read the first and second times, and referred to the Committee on Roads and Canals.

Mr. Camp introduced the following resolution:

Resolved, by the Senate and House of Representatives, That all documents, reports, and other papers transmitted to either House "for the use of the General Assembly," may be, by the two Houses respectively, referred to a joint committee of three Senators and three Representatives, to be appointed by the presiding officers of the two Houses respectively, who shall make their reports to that House from which the subject matter thereof was first ordered. Whenever any such document, report, or other paper, shall be, by either House, referred as aforesaid, the same, together with the notice of such order, shall be communicated by message to the other.

Which was read and passed.

(S. 42.) Mr. Butler introduced a bill entitled "an act relating to the taking of testimony."

And it was read the first and second times, and referred to the Committee on the Judiciary.

(S. 43.) Mr. A. Allen introduced a bill entitled "an act in addition to chapter 20 of the Revised Statutes,"

And it was read the first and second times, and referred to the Committee on Roads and Canals.

Mr. Butler introduced the following resolutions:

Resolved, by the Senate and House of Representatives, That our Senators and members in Congress be requested to use their influence in procuring the passage of a law refunding to General Andrew Jackson, the fine of one thousand dollars imposed on him by Judge Hall, in the city of New Orleans, A. D. 1815.

Resolved, That the Governor be requested to forward copies of the foregoing resolution to each of our Senators and Representatives in Congress.

And they were read.

Mr. Bartlett moved to lay the same on the table.

Mr. Briggs moved that the further consideration of the same be indefinitely postponed.

And, on this question, the yeas and nays having been demanded by Mr. Butler, are as follows:

The Senators who voted in the affirmative are,

Messrs. E. Allen, Barrett, Briggs, Camp, Cutts, Dutton, Eaton, Field, French, Munsill, Plumb, Porter, Sowles, Starr, and Townsley,—15.

Those Senators who voted in the negative are,

Messrs. Aiken, A. Allen, Bartlett, Bingham, Blodgett, Butler, Dilling-

ham, Green, Hatch, Hubbell, Sheldon, Smalley, Sprague, Stevens, Wright,—15.

And there appearing to be a tie, the Secretary took the casting vote of the President, who voted in the affirmative, and the resolutions were therefore indefinitely postponed.

The following communication was received from the Governor:

EXECUTIVE CHAMBER,
Oct. 26, 1842.

It becomes my duty to inform the Senate, that Julius Converse, Esq. who was recently elected State's Attorney for the county of Windsor, declines that office.

CHARLES PAINE.

To his Honor, WAITSTILL R. RANNEY,
President of the Senate.

The following bills from the House of Representatives, were severally taken up, read the first and second times, and referred as follows:

(H. 17.) "An act annexing Johnson's Island to the town of St. Albans," to a select committee composed of the Senators from Franklin County.

(H. 67.) "An act to credit the town of Manchester the sum therein mentioned," to the Committee on Finance, and

(H. 66.) "An act constituting Samuel F. Smith an heir-at-law of Harry Holden," to the Committee on the Judiciary.

(S. 35.) Mr. Plumb, from the Committee on Claims, to whom was referred the bill entitled "an act to pay Ebenezer W. Babcock the sum there in mentioned," reported the opinion of the Committee to be that the same ought not to pass.

And the third reading was denied.

(S. 6.) The Senate took into consideration the engrossed bill entitled "an act to pay the town of Alburgh the sum therein mentioned,

And it was read the third time and passed.

Mr. Starr, from the Committee on Banks, reported that the said Committee were of opinion that the report of the Bank Commissioner and of the Bank Inspector, which had been referred to them, ought to be printed, and recommonded the printing of three hundred copies.

And it was

Ordered, That three hundred copies of said report be printed for the use of the General Assembly.

On motion of Mr. Starr,

The Senate adjourned.

AFTERNOON.

(S. 44.) Mr. Hatch introduced a bill entitled "an act in addition to an act relating to Banks,"

And it was read the first and second times, and referred to the Committee on Banks.

Mr. Hatch called up the following resolution, on the table, from the House of Representatives:

Resolved, by the Senate and House of Representatives, That our Senators in Congress be instructed, and our Representatives be requested to use their best exertions to procure the passage of a law of Congress reducing the pay and mileage of the members of both Houses of Congress to six dollars per diem, and three dollars for every twenty miles travel; and that the Governor of this State be requested to furnish each of our Senators and Representatives with a copy of this resolution.

And on the question, will the Senate concur with the House in passing the resolution? the yeas and nays having been demanded by Mr. Smalley, are as follows:

Those Senators who voted in the affirmative are,

Messrs. Aiken, Bartlett, Bingham, Blodgett, Butler, Dillingham, Field, Green, Hatch, Hubbell, Munsill, Sheldon, Smalley, Sprague, Stevens, and Wright—16.

Those Senators who voted in the negative are,

Messrs. A. Allen, E. Allen, Barnett, Briggs, Camp, Cutts, Dutton, Eaton, French, Plumb, Porter, Sowles, Starr, and Townsley—14.

So the resolution was passed in concurrence.

(H. 64.) Mr. Hubbell, from the Committee on Claims, to whom was referred the bill from the House of Representatives entitled "an act to pay William Cutts the sum therein mentioned," asked that the Committee be discharged from the further consideration thereof, and the said Committee were so discharged.

And the bill, on motion of Mr. Smalley, was referred to the Committee on Military Affairs.

On motion of Mr. Smalley,

The Senate adjourned.

THURSDAY, Oct. 27, 1842.

Prayer by the Chaplain.

The journal of yesterday was read.

(S. 45.) Mr. Bartlett introduced a bill entitled "an act relating to the Bank of Newbury."

And it was read the first and second times, and referred to the Committee on Banks.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT:—The House have passed bills of the following titles:

(H. 1.) "An act to repeal an act therein mentioned," and

(H. 84.) "An act to restore Moses Warner to his legal privileges," in which they request the concurrence of the Senate.

(S. 28.) The House concur with the Senate in passing the bill entitled "an act to pay Lebbeus Edgerton the sum therein mentioned," and in passing a resolution providing for the appointment of joint committees in certain cases.

The said bills from the House of Representatives were severally read twice and referred as follows:

(H. 1.) The bill entitled "an act to repeal an act therein mentioned," to the Committee on Military Affairs.

(H. 84.) The bill entitled "an act to restore Moses Warner to his legal privileges," to the Committee on the Judiciary.

(S. 42.) Mr. Briggs, from the Committee on the Judiciary, to whom was referred the bill entitled "an act relating to the taking of testimony," reported adversely to the passage of the same.

Mr. Hubbell offered the following amendment:

After the word "used" insert the words "in the trial of any civil cause or before any committee of elections."

Which amendment was adopted, and the bill as amended, was

Ordered, To be engrossed and read the third time.

(S. 16.) Mr. French, from the Committee on the Judiciary, to whom was referred the bill entitled "an act in addition to 'an act for the relief of the insane poor,'" reported the same with a proposal to amend by striking out the word "new" before the word "case," in the 6th line, and that so amended the bill ought to pass.

The amendment of the Committee was adopted.

Mr. Briggs moved to amend the bill by striking out the words "or cases," which amendment was adopted, and the bill as amended was

Ordered to be engrossed and read the third time.

Mr. Briggs, from the Committee on the Judiciary, reported against the prayer of the petition of James S. Merrill and others, and recommended that petitioners have leave to withdraw their petition.

Which leave was granted.

(S. 46.) Mr. Hubbell introduced a bill entitled "an act concerning recognizances."

Which was read twice and referred to the Committee on Finance.

(S. 47.) Mr. Smalley introduced a bill entitled "an act laying a tax on the County of Chittenden."

Which was read twice and referred to a select Committee of three Senators.

(S. 4.) Mr. Butler from the select Committee raised on the "act abolishing capital punishment," reported said bill with the opinion of a majority of said Committee that it ought to pass.

On motion of Mr. Starr,

Ordered that it be laid on the table and made the order of the day for Saturday morning.

(S. 48.) Mr. Sprague introduced a bill entitled "an act entitled Mechanic's Liens."

Which was read twice and referred to the Committee on the Judiciary.

(S. 31.) Mr. Dillingham, from the Committee on the Judiciary, reported in favor of the bill entitled "an act relating to actions on scire facias," and it was

Ordered to be engrossed and read the third time.

(S. 33.) Mr. Townsley, from the Committee on Military Affairs, reported the bill entitled "an act to pay Simeon Herrick the sum therein mentioned," and it was laid on the table.

(S. 34.) Mr. French, from the Committee on the Judiciary, reported the bill entitled "an act defining the 4th and 5th clauses of the 1st section of the 47th chapter of the Revised Statutes," and it was

Ordered to be engrossed and read the third time.

On motion of Mr. Briggs,

The Senate adjourned.

AFTERNOON.

(H. 17.) Mr. Hubbell, from the select Committee raised on the bill entitled "an act annexing Johnson's Island to the town of St. Albans," reported the said bill without amendment, and it was read the third time and passed.

(S. 47.) The President announced the appointment of Mr. Dillingham, Mr. Briggs, and Mr. Eaton, as the select Committee on the bill entitled "an act laying a tax upon the County of Chittenden."

(H. 66.) Mr. Briggs, from the Judiciary Committee, to whom was referred the bill from the House of Representatives entitled "an act constituting Samuel F. Smith an heir at law of Harry Holden," reported the same without amendment, and it was read the third time and passed in concurrence.

(S. 42.) The Senate took into consideration the engrossed bill entitled "an act relating to the taking of testimony,'" and it was read the third time and passed.

(H. 64.) Mr. A. Allen, from the Committee on Military Affairs, to whom was referred the bill from the House, entitled "an act to pay William Cutts the sum therein mentioned," reported the same without amendment, and it was

Read the third time, and the question, shall the bill pass? decided in the negative.

(S. 38.) The Senate took up the bill on the table entitled "an act con-

stituting a board of education, and a general supervision of common schools," and it was referred to the Committee on Education.

(S. 2.) The Senate took into consideration the bill on the table, entitled "an act to repeal the 22d section, chapter 28 of the Revised Statutes," and

The third reading was denied.

(S. 25.) The Senate took up the bill on the table entitled "an act extending the jurisdiction of Justices of the Peace in certain cases,"

And on motion of Mr. A. Allen, it was laid on the table, and made the order of the day for to-morrow morning.

Mr. Munsill moved to reconsider the vote of yesterday on the resolution relative to the pay and mileage of members of Congress.

Mr. Blodgett called for the yeas and nays on the question of reconsideration, and they are as follows:

Those Senators who voted in the affirmative are,

Messrs. A. Allen, Barrett, Briggs, Camp, Cutts, Dutton, Eaton, Field, French, Munsill, Plumb, Porter, Sowles, Starr, and Townsley—15.

Those Senators who voted in the negative are,

Messrs. Aiken, Bartlett, Bingham, Blodgett, Butler, Dillingham, Green, Hatch, Hubbell, Sheldon, Sprague, Stevens, and Wright—13.

So the resolution was reconsidered, and

On motion of Mr. Munsill,

Ordered to lie upon the table.

The following bills from the House of Representatives were severally read the first and second times, and referred as follows:

(H. 6.) "An act in addition to chapter 29 of the Revised Statutes," to the Committee on the Judiciary.

(H. 50.) "An act in addition to 'an act to repeal part of chapter 90 of the Revised Statutes, approved November 3, 1841,'" to the Committee on Finance.

(H. 52.) "An act in addition to chapter 18 of the Revised Statutes," to the Judiciary Committee.

(H. 61.) The bill from the House of Representatives entitled "an act in alteration of an act altering the boundary line between Salisbury and Leicester," was read the first and second times, and

Ordered to lie upon the table.

On motion of Mr. Dillingham,

The Senate adjourned.

FRIDAY, Oct. 28, 1842.

Prayer by the Chaplain.

The Journal of yesterday was read.

Mr. Briggs, presented the petition of Thomas H. Palmer, and 194 others, inhabitants of the town of Pittsford, praying for legislative action on the subject of slavery.

Which was read and referred to a select committee of three senators.

(S. 49.) Mr. Briggs introduced a bill entitled "an act in addition to chapter 24 of the Revised Statutes,"

And it was read the first and second times, and referred to the Committee on the Judiciary.

Mr. Blodgett presented the petition of William Maxham and others,

Which, without reading, was referred to the Committee on Roads and Canals.

(H. 67.) Mr. Camp, from the Committee on Finance, to whom was referred the bill from the House entitled "an act to credit the town of Manchester the sum therein mentioned," reported the same, without amendment, and it was read the third time, and passed in concurrence.

(S. 44.) Mr. Starr, from the Committee on Banks, to whom was referred the bill entitled "an act in addition to an act relating to banks," reported the opinion of the Committee to be that it ought not to pass.

And, on motion of Mr. Butler, it was laid upon the table.

(S. 50.) Mr. Bartlett introduced a bill entitled "an act to pay James Morse the sum therein mentioned."

And it was read the first and second times, and referred to the Committee on Military Affairs.

Mr. E. Allen, from the Committee on Bills, reported that they had this day submitted to the Governor, for his approval and signature, bills of the following titles:

(S. 28.) "An act to pay Lebbeus Edgerton the sum therein mentioned,"

(H. 66.) "An act constituting Samuel F. Smith an heir at law of Harry Holden," and

(H. 17.) "An act annexing Johnson's Island to the town of St. Albans."

(S. 37.) The Senate took into consideration the bill entitled "an act relating to Banks," and

On motion of Mr. Eaton, it was

Ordered to lie on the table.

Mr. Stevens, from the Committee on Military Affairs, reported the petition of Lucius Sanderson, with the opinion of the Committee that the prayer thereof ought not to be granted.

And on motion of Mr. Smalley it was laid on the table.

A message from His Excellency the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

MR. PRESIDENT:—I am directed by his Excellency, the Governor, to inform the Senate that he has this day approved and signed a bill entitled

(S. 28.) "An act to pay Lebbeus Egerton the sum therein mentioned."

And I am also directed to communicate to the Senate a message in writing.

(H. 1.) Mr. A. Allen, from the Committee on Military Affairs, to whom was referred the bill from the House of Representatives entitled "an act

to repeal an act therein mentioned," reported the same without amendment, and it was read the third time and passed in concurrence.

Mr. Bartlett introduced the following resolution:

Resolved, That during the session of the Legislature, every Senator shall have free admission to the Senate Chamber, and that it is a breach of privilege for the Door Keeper to refuse admission to any Senator who may desire to take his seat in the Senate Chamber.

Which was read and passed.

On motion of Mr. Bartlett,

The Senate adjourned.

AFTERNOON.

The Senate took into consideration the following engrossed bills, and they were severally read the third time and passed.

(S. 16.) "An act in addition to an act for the relief of the insane poor,"

(S. 31.) "An act in relation to actions on scire facias," and

(S. 34.) "An act defining the 4th and 5th clauses of the 1st section of the 47th chapter of the Revised Statutes."

(H. 61.) Mr. Briggs called up the bill from the House of Representatives entitled "an act in alteration of an act altering the boundary line between Salisbury and Leicester," and it was

Read the third time, and passed in concurrence.

The following communication was received from the Governor:

EXECUTIVE CHAMBER,
Oct. 28, 1842.

By a resolution of the last General Assembly, the Executive was directed to appoint some person to enquire into the Claims this State might have against the General Government for services rendered during the Revolution. Under that resolution, I appointed Henry Stevens, Esq. of Barnet; and as the Legislature is now in session, I herewith transmit his report, that such action may be had upon it as may be deemed proper.

No appropriation was made by the last General Assembly to meet the expense of the investigation which has already been made, or to provide for its further continuance.

As the papers relating to our early Legislative proceedings are in a very loose state, I would recommend that they be properly collected and preserved.

CHARLES PAINE.

To his Honor, WAITSTILL R. RANNEY,
President of the Senate.

The report of Henry Stevens, Esq. accompanying the foregoing communication, was read and referred to the Joint Committee of the two Houses on Documents communicated to either House for the use of the General Assembly.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT,—The House do not concur with the Senate in passing the bill (S. 32,) entitled "an act for the benefit of Laura Elizabeth Moore and others."

The Governor has announced to the House that he has this day approved and signed bills of the following titles:

(H. 17.) "An act annexing Johnson's Island to the town of St. Albans," and

(H. 66.) "An act constituting Samuel F. Smith an heir-at-law of Harry Holden."

(S. 25.) The Senate took into consideration the bill on the table entitled "an act extending the jurisdiction of justices of the peace in certain cases."

And on motion of Mr. Briggs, it was

Ordered, That the further consideration of the said bill be indefinitely postponed.

(S. 2.) On motion of Mr. Hubbell, the Senate reconsidered the vote by which the third reading of the bill entitled "an act to repeal the 22d section, chapter 58, of the Revised Statutes," was refused, and on motion of Mr. Briggs, it was

Ordered to lie upon the table.

On motion of Mr. Stevens,

The Senate adjourned.

SATURDAY, Oct. 29, 1842.

Prayer by the Chaplain.

The journal of yesterday was read.

The President announced the appointment of the following Committees:

On the Joint Committee of the two Houses directed to be raised on Documents sent to either House for the use of the General Assembly, Messrs. Camp, Smalley, and Green.

On the petition of Thomas H. Palmer and 194 others, relating to slavery in the District of Columbia and elsewhere, Messrs. Briggs, A. Allen, and Sheldon; and

On the Report of Henry Stevens, relative to claims of this State upon the General Government for services rendered during the war of the Revolution, Messrs. Camp, Smalley, and Green.

(H. 52.) Mr. Briggs, from the Committee on the Judiciary, to whom was referred the bill from the House entitled "an act in addition to chapter 18 of the Revised Statutes," reported the same without amendment, and it was

Ordered to lie upon the table.

(H. 50.) Mr. Bartlett, from the Committee on Finance, to whom was referred the bill from the House entitled "an act in addition to 'an act to repeal part of chapter 90 of the Revised Statutes, approved Nov. 3, 1841,'" reported the same without amendment, and it was read the third time and passed in concurrence.

Mr. Bartlett, from the same Committee, to whom was referred the resolution relative to reducing the salaries of Judges of the Supreme Court, and other officers, reported the opinion of the Committee to be that no legislative action is required thereon.

The following communication was received from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

EXECUTIVE CHAMBER,
Oct. 29, 1842.

I have the honor to transmit to the Senate, for the use of the General Assembly, the Report of the Commissioners appointed to visit the University of Vermont; and also, by request, a copy of the proceedings of a Military Convention held in Montpelier on the 14th inst.

CHARLES PAINE.

To the Honorable W. R. RANNEY,
President of the Senate.

(S. 45.) Mr. Starr, from the Committee on Banks, to whom was referred the bill entitled "an act relating to the Bank of Newbury," reported the same without amendment.

And on the question, Shall the bill be engrossed and read the third time? the yeas and nays, having been demanded by Mr. Townsley, were as follows:

The Senators who voted in the affirmative are,

Messrs. Bartlett, Smalley, Sowles, Starr, and Stevens—5.

Those Senators who voted in the negative are,

Messrs. Aiken, A. Allen, E. Allen, Barrett, Bingham, Blodgett, Briggs, Butler, Camp, Cutts, Dillingham, Dutton, Eaton, Field, Green, Hatch, Hubbell, Munsill, Plumb, Porter, Sheldon, Sprague, Townsley, and Wright—24.

So the third reading was refused.

(S. 47.) Mr. Dillingham, from the select Committee, on the bill entitled "an act laying a tax upon the County of Chittenden," reported the same without amendment, and on motion of Mr. Smalley, it was

Ordered to be laid on the table, and made the order of the day for Wednesday morning.

Mr. Blodgett introduced the following resolution:

Resolved, That the Committee on Elections be instructed to make report this afternoon, of all the facts that have come to their knowledge, relating to any persons holding seats in this Senate, who were holding the office of Post Master in any town in this State, at the time of their election.

Which was read and passed.

(H. 6.) Mr. Dillingham, from the Committee on the Judiciary, to whom was referred the bill from the House entitled "an act in addition to chapter 29 of the Revised Statutes," reported adversely to the passage of the same, and

The third reading was denied.

(S. 40.) Mr. Townsley, from the select committee to whom was referred the bill entitled "an act for surveying and ascertaining the boundary line between the counties of Bennington and Windham," reported that the same ought to pass.

On motion of Mr. Briggs, it was

Ordered to lie upon the table.

Mr. A. Allen, from the Committee on Military Affairs, to whom was referred the resolution relating to expenses incurred by reason of the recent border difficulties, reported that

By an act, approved 29th, October, 1840, the town of Alburgh was paid	$657 18
By an act, approved 11th November, 1841, Lawrence Brainerd was paid	51 28
By an act approved November 1st, 1841, Abel Drury was paid	300 00
By an act approved November 10, 1841, Thomas W. Fuller was paid	10 00
Making, in the aggregate, the sum of	$1618 43

And that the committee called upon the Governor and were informed that no application had been made to the General Government, to procure the allowance and payment "of any such amounts."

The report of the Commissioners appointed to visit the University of Vermont, accompanying the communication just read, from the Governor, was read, and,

On motion of Mr. Smalley,

Ordered to lie upon the table, and that the Secretary procure to be printed three hundred copies for the use of the General Assembly.

The proceedings of a Military Convention recently holden in Montpelier, also accompanying the communication of the Governor, was referred, without reading, to the Committee on Military Affairs.

On motion of Mr. Smalley,

Ordered, That when the Senate adjourn, it adjourn to meet at the usual hour on Monday morning.

On motion of Mr. Dillingham,

The Senate adjourned.

MONDAY, OCT. 31, 1842.

Prayer by the Chaplain.

The journal of yesterday was read.

On motion of Mr. Hatch, it was

Ordered, That the resolution relating to expenses incurred in protecting the frontier towns, with the report of the Committee on Military Affairs thereon, be recommitted to the said Committee, with instructions to report a joint resolution requesting His Excellency, the Governor, to cause the same to be presented to Congress for allowance.

(S. 51.) Mr. Sheldon introduced a bill entitled "an act to pay John S. Pettibone the sum therein mentioned,"

And it was read the first and second times, and referred to the Committee on Claims.

Mr. Townsley, from the Committee on Elections, to whom was referred the resolution relative to the case of any Senator's holding a seat in this body, who is holding an office under authority of Congress, made a report concluding with the opinion of the Committee that no such case exists. (See appendix.)

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT:—The House have appointed Messrs. Van Sicklen, Gove and Fox, as the Committee on their part, on documents communicated to either House for the use of the General Assembly,

The House have passed bills of the following titles, in which they request the concurrence of the Senate:

(H. 65.) "An act to annex the town of Norton to the county of Essex,"

(H. 98.) "An act laying a tax on the lands in Wenlock,"

(H. 76.) "An act in amendment of an act laying a tax on the lands in Newark, approved November 11, 1841," and

(H. 86.) "An act to amend section 11, of chapter 16 of the Revised Statutes."

The House concur with the Senate in passing bills of the following titles:

(S. 22.) "An act in addition to chapter 69 of the Revised Statutes."

(S. 6.) "An act to pay the town of Alburgh the sum therein mentioned," and

(S. 42.) "An act relating to taking testimony."

(S. 52.) Mr. Hubbell introduced a bill entitled "an act in amendment of chapter 80 of the Revised Statutes."

And it was read the first and second times, and referred to the Committee on Banks.

(S. 53.) Mr. Dutton introduced a bill entitled "an act in addition to chapter 29 of the Revised Statutes."

And it was read the first and second times and referred to the Committee on the Judiciary.

(S. 54.) Mr. Barrett introduced a bill entitled "an act in amendment of chapter 29 of the Revised Statutes."

And it was read the first and second times, and referred to the Committee on the Judiciary.

On motion of Mr. Briggs, the Secretary was ordered to request of the House the return to the Senate of the bill (H. 6,) entitled "an act in addition to chapter 29 of the Revised Statutes," for their further consideration.

Mr. E. Allen submitted a motion in writing, that Mr. A. Allen be excused from attendance in the Senate from and after tomorrow morning.

And on motion of Mr. Briggs, it was

Ordered to lie on the table.

(S. 55.) Mr. Munsill introduced a bill entitled "an act in addition to, and explanation of, section 14 of chapter 1 of the Revised Statutes."

And it was read the first and second times and referred to the Committee on the Judiciary.

Mr. E. Allen, from the Committee on bills, reported that they did, on Saturday, submit to the Governor, for his approbation and signature, the following entitled bills:

(H. 1.) "An act to repeal an act therein mentioned."

(H. 61.) "An act in alteration of an act altering the boundary line between Salisbury and Leicester," and

(H. 67.) "An act to credit the town of Manchester the sum therein mentioned."

(S. 4.) The Senate took into consideration the order of the day, being the bill entitled "an act abolishing capital punishment," and the same was laid on the table.

(H. 86.) The Senate took up the bill from the House of Representatives entitled "an act to amend section 11 of chapter 16, of the Revised Statutes," and it was read twice and referred to the Committee on the Judiciary.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President,—The House of Representatives concur with the Senate in the passage of the bill (S. 16) entitled "an act for the relief of the insane poor."

(H. 6.) I am directed by the House of Representatives to return to the Senate for their consideration the bill entitled "an act in addition to chapter 29 of the Revised Statutes," in pursuance of the request of the Senate.

(H. 6.) The Senate reconsidered the vote of Saturday, refusing the third reading of the bill from the House of Representatives entitled "an act in addition to chapter 29 of the Revised Statutes," and on motion of Mr. Briggs, it was recommitted to the Committee on the Judiciary.

Mr. Bartlett called up the report of the Committee appointed to examine the affairs of the Essex Bank, and it was referred to the Committee on Finance.

On motion of Mr. A. Allen,

The Senate adjourned.

AFTERNOON.

(S. 39.) Mr. Field, from the Committee on Roads and Canals, to whom was referred the bill entitled "an act in addition to chapter 21 of the Revised Statutes," reported that the same ought not to pass.

And the third reading was denied.

The Senate took into consideration the following entitled bills from the House of Representatives, which were severally read the first and second times, and referred as follows:

(H. 76.) "An act in amendment of an act laying a tax on the lands in Newark," approved November 11, 1841," and

(H. 98.) "An act laying a tax on the lands in Wenlock," to the Committee on Land Taxes, and

(H. 65.) "An act to annex the town of Norton to the county of Essex," to a select Committee of three Senators.

The President announced Messrs. Bingham, Camp, and Butler, as said Committee.

Mr. Butler, from the Committee on Elections, presented a minority report, on the subject of the resolution relating to any Senator's holding a seat in this body, who holds an office under the authority of Congress, concluding with the following resolutions:—(See Appendix.)

Resolved, That Alanson Allen, Esq. a Senator from the County of Rutland, was a Post Master at the time of his election to said office.

Resolved, Therefore, that the said Alanson Allen is not entitled to a seat in this Senate.

Which resolutions were read, and

On motion of Mr. Camp,

Ordered to lie upon the table.

(S. 56.) Mr. Camp introduced a bill entitled "an act defining the qualifications and rights of freemen, and for other purposes."

And it was read the first and second times and referred to the Committee on the Judiciary.

(S. 49.) Mr. Briggs, from the Committee on the Judiciary, to whom was referred the bill entitled "an act in addition to chapter 24 of the Revised Statutes," reported the same without amendment, and it was

Ordered to lie upon the table.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President:—The Governor has announced to the House, that he did, on Saturday last, approve and sign bills of the following titles:

(H. 1.) "An act to repeal an act therein mentioned."

(H. 61.) "An act in alteration of an act altering the boundary line between Salisbury and Leicester," and

(H. 67.) "An act to credit the town of Manchester the sum therein mentioned."

(S. 40.) The Senate took into consideration the bill entitled "an act for surveying and ascertaining the boundary line between the counties of Bennington and Windham."

And on the question, Shall the bill be engrossed and read the third time? the yeas and nays having been demanded by Mr. Camp, were as follows:

Those Senators who voted in the affirmative are,

Messrs. Barrett, Blodgett, Cutts, Dutton, Munsill, Plumb, Sheldon, Sprague, Starr, Townsley, and Wright—11.

Those Senators who voted in the negative are,

Messrs. A. Allen, E. Allen, Bartlett, Bingham, Butler, Camp, Eaton, Field, Green, Hubbell, Porter, Sowles, and Stevens—13.

So the third reading was refused.

(S. 2.) The Senate took up the bill entitled "an act to repeal the 22d section of chapter 58 of the Revised Statutes," and it was ordered to be engrossed and read the third time.

(S. 33.) The bill entitled "an act to pay Simeon Herrick the sum therein mentioned," was taken up, and on motion of Mr. Munsill, it was indefinitely postponed.

(S. 44.) The Senate took into consideration the bill entitled "an act in addition to an act relating to Banks."

Mr. Butler offered the following amendment,—insert after the first section the following:

"*Provided*, That no Bank which shall have executed bonds to the treasurer of this State for the redemption of its bills and the refunding of its deposites, or which shall hereafter execute such bonds, agreeably to the provisions of the 39th section of the act to which this is in addition, approved Oct. 28, 1840," shall be subject to the tax aforesaid,"

And strike out the second section.

On motion of Mr. Camp,

The bill and amendments were laid on the table.

TUESDAY, NOV. 1, 1842.

Prayer by the Chaplain.

The journal of yesterday was read.

(S. 57.) Mr. Hatch, from the select committee on the Grand List, reported a bill entitled "an act in addition to an act relating to the Grand List, approved November 11, 1841,"

And it was read the first and second times, and

Ordered to lie upon the table, and made the order of the day for to-morrow morning.

(H. 76.) Mr. Barrett from the Committee on Land Taxes, to whom was referred the bill from the House of Representatives, entitled "an act in amendment of an act laying a tax on the lands in Newark, approved Nov. 11, 1841," (H. 98.) and "an act laying a tax on the lands in Wenlock," reported the same, without amendment, and they were severally read the third time and passed in concurrence.

(S. 29.) Mr. Briggs, from the Committee on the Judiciary, to whom was referred the bill entitled "an act in addition to chapter 44 of the Revised Statutes," reported the same without amendment.

Mr. Dutton moved to amend the same, by inserting in the second line of the first section, after the word "administrator," the words "or agent authorized by the Probate Court to take possession and charge of estate for absent heirs or legatees."

On motion of Mr. Munsill, the bill and amendment were

Ordered to lie upon the table.

(S. 58.) Mr. Blodgett introduced a bill entitled "an act in addition to chapter 21 of the Revised Statutes."

And it was read the first and second times and referred to the Committee on Roads and Canals.

On motion of Mr. A. Allen, the Senate reconsidered the vote of yesterday, by which the third reading was denied to the bill (S. 40) entitled "an act for surveying and ascertaining the boundary line between the counties of Bennington and Windham,"

And on motion of Mr. Townsley, the bill was

Ordered to lie upon the table.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President—The House have passed bills of the following titles in which they request the concurrence of the Senate:

(H. 89.) "An act in addition to an act to incorporate the Windsor County Mutual Fire Insurance Company,"

(H. 108.) "An act to amend section 6 of chapter 83 of the Revised Statutes," and

(H. 113.) "An act relating to Banks."

Mr. Eaton introduced the following resolution:

Resolved, That the select committee raised on the subject of the Grand List be instructed to report a bill, which shall be a transcript of the listing law in force previous to that passed at the last session of the Legislature, providing in such bill, that the assessment of real estate made by the listers, the present year, shall be retained for the term of five years; and also that listers hereafter shall be required to take the oath required by the present law relative to the appraisal of real estate.

Which was read, and

Ordered to lie upon the table.

(H. 6.) Mr. Briggs, from the Committee on the Judiciary, to whom was referred the bill from the House entitled "an act in addition to chapter 29 of the Revised Statutes," reported the same, with a proposal of amendment, and

On motion of Mr. Butler, the bill and amendment proposed, were *Ordered* to lie upon the table.

Mr. E. Allen, from the Committee on Bills, reported that they have this day submitted to the Governor, for his approval and signature, bills of the following titles:

(S. 6.) "An act to pay the town of Alburgh the sum therein mentioned,"

(S. 22.) "An act in addition to chapter 69 of the Revised Statutes,"

(S. 42.) "An act relating to the taking of testimony,"

(S. 16.) "An act in addition to an act entitled an act for the relief of the insane poor;" and

(H. 50.) "An act in addition to an act to repeal part of chapter 90 of the Revised Statutes, approved Nov. 3, 1841."

The Senate took into consideration the following entitled bills from the House of Representatives, which were severally read the first and second times, and referred as follows:

(H. 113.) "An act relating to elections," and

(H. 108.) "An act to amend section 6 of chapter 83 of the Revised Statutes," to the Committee on the Judiciary.

(H. 89.) "An act in addition to an act to incorporate the Windsor County Mutual Fire Insurance Company," to the Committee on Roads and Canals.

(S. 4.) The bill entitled "an act abolishing capital punishment," was taken up, and made the order of the day for to-morrow morning.

(S. 49.) The Senate took up the bill entitled "an act in addition to chapter 24 of the Revised Statutes." Mr. Smalley offered to amend the same as follows: after the words "in the Court of Chancery" in the third line, insert "for the foreclosure of any mortgage."

On motion of Mr. Hubbell, the bill and amendment were laid on the table.

Mr. Townsley called up the report and resolutions submitted yesterday by the minority of the Committee on Elections, relating to the right of Mr. Alanson Allen, Senator from Rutland, to a seat in the Senate, and proposed to amend the first resolution by inserting the word "not" after the word "is."

On motion of Mr. Dillingham, the resolutions and amendment were laid on the table.

A message from His Excellency the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

Mr. President:—His Excellency, the Governor, has this day approved and signed bills of the following titles:

(S. 6.) "An act to pay the town of Alburgh the sum therein mentioned."

(S. 16.) "An act in addition to an act for the relief of the insane poor."

(S. 42.) "An act relating to taking testimony," and

(S. 22.) "An act in addition to chapter 69 of the Revised Statutes."

On motion of Mr. Dillingham,

The Senate adjourned.

AFTERNOON.

Mr. Sowles, from the Committee on Agriculture, to whom was referred the resolution relative to a bounty on wheat, reported the opinion of the Committee to be that no legislation is advisable thereon.

(S. 2.) The Senate took into consideration the engrossed bill entitled "an act to repeal the 22d section, chapter 28 of the Revised Statutes," and it was read the third time and passed.

Mr. French, from the Committee on the Judiciary, to whom was referred the petition of Moses Warner, praying to be restored to his legal privileges, and the bill from the House (H. 84,) entitled "an act to restore Moses Warner to his legal privileges," reported the said bill without amendment, and it was read the third time and passed in concurrence.

(S. 44.) The Senate took into consideration the bill entitled "an act in addition to an act relating to Banks," and adopted the following amendment to the first section:

"Provided that no bank which shall have executed bonds to the Treasurer of this state for the redemption of its bills, and the refunding of its deposits, or which shall hereafter execute such bonds, agreeably to the provisions of the 39th section of the act to which this is an addition, approved Oct. 28, 1840, shall be subject to the tax aforesaid"; and to strike out the whole of the second section.

The said amendment was adopted.

On motion of Mr. Townsley, the bill and amendment were laid on the table.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President:—The House concur with the Senate in the passage of the bill (S. 11,) entitled "an act in addition to chapter 97 of the Revised Statutes."

(H. 50.) The Governor has announced to the House that he has approved and signed the bill entitled "an act in addition to 'an act to repeal part of chapter 90 of the Revised Statutes,' approved Nov. 3, 1841."

I am directed to communicate to the Senate sundry documents which have been transmitted to the House for the use of the General Assembly.

A message in writing was received from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs, which is as follows:

Executive Chamber,
Nov. 1, 1842.

I have the honor to inform the Senate that a vacancy has occurred in the first Brigade and first Division of the Militia of this State, by the resignation and honorable discharge of Brigadier General John M. Potter.

CHARLES PAINE.

To his Honor, Waitstill R. Ranney,
President of the Senate.

(S. 37.) The bill entitled "an act relating to Banks," was taken up, and the question, Shall the bill be engrossed and read the third time? was decided in the negative.

The reports and other documents communicated by the House, were referred to the Committee on Finance.

(H. 65.) Mr. Bingham, from the select Committee, to whom was referred the bill entitled "an act to annex the town of Norton to the County of Essex," reported the same without amendment, and it was read the third time and passed in concurrence.

(S. 40.) Mr. Townsley called up the bill entitled "an act for surveying and ascertaining the boundary line between the Counties of Bennington and Windham," and offered to amend the same by adding thereto the following proviso:

"Provided, That no action shall be had in the premises until the assent of the towns of Wilmington, Searsburgh, Stratton, and Sunderland, (in their corporate capacity) shall be had, a copy of which assent shall be made and certified by the several town clerks, and forwarded to one or more of the Committee appointed by this act."

Which amendment was adopted, and the bill as amended was *Ordered* to be engrossed and read the third time.

On motion of Mr. Sowles,

The Senate adjourned.

WEDNESDAY, NOV. 2, 1842.

Prayer by the Chaplain.

The journal of yesterday was read.

Mr. Sheldon introduced the following resolution:

Resolved, by the Senate and House of Representatives, That both Houses meet in Joint Assembly, on Friday next, at 10 o'clock A. M., for the purpose of filling the vacancy in the first Brigade, first Division of the Militia of this State, occasioned by the resignation of Brigadier General John M. Potter.

Which was read and passed.

(S. 43.) Mr. Smalley, from the Committee on Roads and Canals, to whom was referred the bill entitled "an act in addition to chapter 20 of the Revised Statutes," reported the same without amendment, and it was *Ordered* to be engrossed and read the third time.

The report of the Commissioners appointed to visit the University of Vermont, and the report of the Committee on Education were taken up and, on motion of Mr. Camp, referred to the Committee on Education.

(H. 89.) Mr. Field, from the Committee on Roads and Canals, to whom was referred the bill from the House entitled "an act in addition to an act to incorporate the Windsor County Mutual Fire Insurance Company," reported the same without amendment, and it was read the third time and passed in concurrence.

(H. 6.) Mr. Butler called up the bill from the House entitled "an act in addition to chapter 29 of the Revised Statutes," together with the amendments proposed by the Committee on the Judiciary; and the said bill and amendments were considered by the Senate, on the demand of Mr. Briggs, as in Committee of the Whole.

The Committee of the whole having made progress, reported certain amendments to the said bill, and they were adopted; and the bill, as amended, was

Ordered to be read the third time.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT:—The House have passed a resolution providing for a Joint Assembly to elect a Bank Inspector, and Bank Committee for the year ensuing; and a resolution relative to widows' pensions, in which they request the concurrence of the Senate.

(S. 47.) The Senate took into consideration the order of the day, being the bill entitled "an act laying a tax upon the County of Chittenden," and it was

Ordered to be engrossed and read the third time.

(S. 29.) Mr. Munsill called up the bill entitled "an act in addition to chapter 44 of the Revised Statutes," and Mr. Dutton, on leave, withdrew the amendment proposed by him.

The Senate considered the said bill as in Committee of the Whole, and having made progress therein, reported an amendment which was adopted, and the bill

Ordered, To be engrossed and read the third time.

Mr. Briggs presented the petition of Jacob D. Mitchell and others, and on his motion, it was referred, without reading, to the Committee on Military Affairs.

(S. 55.) Mr. Briggs, from the Committee on the Judiciary, to whom were referred the bills entitled "an act in addition to and explanation of section 14 of chapter 1 of the Revised Statutes," and

(S. 56.) "An act defining the qualifications and rights of freemen, and for other purposes," reported the same, and asked that the Committee be discharged from the further consideration thereof.

Which was granted, and the said bills, respectively, were

Ordered to lie upon the table.

(S. 60.) Mr. Sprague introduced a bill entitled "an act defining the limits of jail yards," and a bill entitled

(S. 59.) "An act in addition to chapter 28 of the Revised Statutes."

And they were severally read the first and second times, and referred to the committee on the Judiciary.

(H. 86.) Mr. Briggs, from the Committee on the Judiciary, to whom was referred the bill from the House entitled "an act to amend section 11 of chapter 16 of the Revised Statutes," reported the same without amendment.

On motion of Mr. Eaton, the said bill was
Ordered to be recommitted for the purpose of amendment.

(S. 8.) The Senate took into consideration the bill entitled "an act in addition to, and alteration of, chapters 28 and 103 of the Revised Statutes," together with the amenements proposed.
And on motion of Mr. Briggs, it was
Ordered to be recommitted.

(S. 57.) The Senate took up the order of the day, being the bill entitled "an act in addition to "an act relating to the Grand List," approved Nov. 11, 1841."
And on motion of Mr. Hubbell, it was again
Ordered to lie upon the table.

A message from the House of Representatives, by Mr. Merrill, their Clerk:
MR. PRESIDENT:—The House have passed a bill (H. 15,) entitled "an act to divide the State into Congressional Districts," in which they request the concurrence of the Senate.
(S. 20.) The House concur with the Senate in passing a bill entitled "an act to pay the persons therein named the sums therein mentioned."

(H. 15.) The Senate took up the bill from the House entitled "an act to divide the State into Congressional Districts," and it was read the first and second times, and
On motion of Mr. Briggs,
Ordered to lie upon the table and be made the order of the day for this afternoon.

The Senate adjourned.

AFTERNOON.

The Senate took up the following resolution from the House:
Resolved, by the Senate and House of Representatives, That both Houses meet in joint assembly on Friday next, at 10 o'clock A. M., to elect a Bank Inspector, and Bank Committee for the year ensuing.
And it was read and passed in concurrence.

The Senate took into consideration the following resolutions from the House:
Resolved, by the Senate and House of Representatives, That our Senators in Congress be instructed, and our Representatives requested, to use their influence and exertions to pass a law to continue in force, for five years, the act of Congress of 1838, granting pensions to widows of Revolutionary officers and soldiers, who were married prior to January 1794.
Resolved, That the Governor be requested to furnish each of our delegates in Congress with a copy of the above resolution.
And said resolutions were read, and

On motion of Mr. Briggs,
Ordered to lie on the table.

(H. 86.) Mr. Briggs, from the Committee on the Judiciary, to whom was recommitted the bill from the House entitled "an act to amend section 11 of chapter 16 of the Revised Statutes," reported the same with proposals of amendment, as follows:

Add to the title of the bill, the words "relating to the support and removal of paupers."

Strike out from section 1 the words "section 11 of chapter 16 of the Revised Statutes is so amended to read as follows:"

Strike out from section 1 the word "said," in the 4th line.

Insert in section 1, after the word "chapter," in 5th line, the words "16 of the Revised Statutes."

Which proposed amendments were severally adopted, and the bill, as amended, passed in concurrence.

(H. 108.) Mr. Dillingham, from the Judiciary Committee, to whom was referred the bill from the House entitled "an act to amend section 6 of chapter 83 of the Revised Statutes," reported the same with a proposal to amend, by striking out all after the enacting clause and inserting the following:

"Sec. 1. The several County Courts within their respective Counties, and the City Court of the City of Vergennes, within the limits of said city, at any stated or adjourned term, may in their discretion grant licenses to such persons as shall make application therefor, to be retailers of foreign and domestic distilled spirits or either, on payment of the assessment provided in said chapter.

"Sec. 2. The eleventh section of chapter 83 of the Revised Statutes is hereby repealed."

Also to strike out from the title of said bill, the words "to amend section 6."

The said amendments were adopted, and the bill, as amended, was read the third time and passed in concurrence.

(S. 6.) Mr. Camp, from the Committee on Finance, to whom was referred the report of the Auditor of Accounts, reported a bill entitled "an act relating to public accounts,"

And it was read the first and second times, and
Ordered to lie upon the table.

Mr. Hubbell called up the resolution introduced by Mr. Eaton relative to the Grand List, and proposed to amend the same by striking out all after the word *Resolved*, and insert as follows:

"That the select committee upon the Grand List be instructed to report a bill to repeal the general listing law of the last session of the Legislature."

On motion of Mr. Hatch, the resolution and amendment proposed, were *Ordered* to lie upon the table, and be made the order of the day for tomorrow morning.

Mr. Blodgett called up the resolutions reported by the minority of the Committee on Elections, relative to the right of Mr. A. Allen to a seat in this Senate; the question being on the amendment proposed by Mr. Townsley, of inserting the word "not" after the word "was," in the first resolution

Mr. Townsley withdrew his proposed amendment and offered the following:—Strike out all after the word "Resolved," and insert as follows:—"That Alanson Allen, Esq. heretofore Postmaster at Fairhaven, having, previous to the first Tuesday in September last, sent to the General Post Office Department his resignation of the office of Postmaster; having delivered over the books and papers pertaining to said office, and having surrendered all control over said office, as well as ceased to claim or enjoy its privileges, was, on said first Tuesday of September, eligible to a seat in the Senate; and having been duly elected is therefore entitled to a seat."

On motion of Mr. Briggs, the resolution and proposed amendment were *Ordered* to lie upon the table.

(S. 61.) Mr. Dillingham introduced a bill entitled "an act relating to the Bank of Windsor."

And it was read the first and second times and referred to the Committee on Banks.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President:—The House of Representatives have passed certain resolutions relative to the Asylum for the education of the Deaf and Dumb at Hartford, Connecticut, and to a meeting of the two Houses to witness an exhibition of the pupils of that Institution.

The House concur with the Senate in passing a resolution providing for a Joint Assembly to elect a Brigadier General to supply the vacancy occasioned by the resignation of Brigadier General John M. Potter.

The following resolutions from the House of Representatives were taken up and passed in concurrence:

Resolved, by the Senate and House of Representatives, That our sympathies and aid, as citizens and legislators, are eminently due to that unfortunate class of our fellow beings who are cut off from the blessings of hearing and speech.

Resolved, That this Legislature regard with peculiar interest the Institution for the education of the Deaf and Dumb, at Hartford, Connecticut, inasmuch as it is partly endowed by this State with a fund for the relief of our own citizens.

Resolved, therefore, That Mr. Lewis Wild, the principal of the American Asylum for the Deaf and Dumb, at Hartford, Connecticut, be invited to appear before the two Houses, in the Hall of Representatives, with his pupils, tomorrow afternoon at half past 2 o'clock, and make such exhibition of their progress and improvement as he may deem proper.

On motion of Mr. Starr,
The Senate adjourned.

THURSDAY, Nov. 3, 1842.

Prayer by the Chaplain.

The journal of yesterday was read.

Mr. E. Allen introduced the following resolution:

Resolved, by the Senate and House of Representatives, That the General Assembly adjourn on Thursday next, at 6 o'clock A. M., without day.

Which was read, and Mr. Camp moved that the same be ordered to lie.

The motion was lost.

Mr. Dillingham moved to amend by striking out the word "Thursday," and inserting the word "Friday."

Which amendment was adopted, and the resolution as amended was

Ordered to lie upon the table, and be made the order of the day for Saturday morning.

Mr. E. Allen called up the motion to discharge Mr. A. Allen from service in the Senate from and after tomorrow morning, and it was adopted.

Mr. A. Allen, from the Committee on Military Affairs, to whom was recommitted with instructions, the resolution relative to expenses incurred in defending the frontier towns of this State during the late border difficulties, made a report concluding with the following resolution:

Resolved, by the Senate and House of Representatives, That His Excellency the Governor be requested to make application to the Congress of the United States, at their next session, for a remuneration of the sum of ten hundred and ninety-four dollars and nine cents, being the amount expended by this State in defending our frontier towns in the late border difficulties with Canada.

And the said resolution was read and passed.

Mr. Sprague introduced the following resolution:

Resolved, That the select Committee on the Grand List be requested to enquire into the expediency of so amending the Listing Law as to set in the list all notes and other obligations due the several banks in this State over and above their capital stock actually paid in.

And it was read and passed.

(H. 15.) The Senate, as in Committee of the Whole, considered the bill from the House of Representatives entitled "an act to divide the State into Congressional Districts," and, having made progress therein, reported the same without amendment.

Mr. Hubbell offered to amend the bill as follows:

Strike out all after the enacting clause and insert—

"Sec. 1. That for the purpose of electing Representatives in the Congress of the United States, the State shall be divided into four districts, each of which shall elect one Representative, being an inhabitant of the same district, in the manner hereinafter provided.

"Sec. 2. The said four districts shall be as follows, to wit:

"The Counties of Bennington, Rutland, and Addison, shall constitute one district, and be called District Number One.

"The Counties of Windham and Windsor shall constitute one district, and be called District Number Two.

"The Counties of Orange, Washington, Caledonia, and Essex, shall constitute one district, and be called District Number Three.

"The Counties of Chittenden, Franklin, Grand Isle, Orleans, and Lamoille shall constitute one district, and be called District Number Four.

"Sec. 4. This act shall take effect from its passage."

And on the question, Will the Senate adopt the amendment proposed? the yeas and nays having been demanded, were as follows:

Those Senators who voted in the affirmative are,

Messrs. Aiken, Bartlett, Bingham, Blodgett, Butler, Dillingham, Green, Hatch, Hubbell, Sheldon, Smalley, Sprague, Stevens, and Wright—14.

Those Senators who voted in the negative are,

Messrs. E. Allen, Barrett, Briggs, Camp, Cutts, Dutton, Eaton, Field, French, Munsill, Plumb, Porter, Sowles, Starr, Townsley—15.

So the amendment was rejected.

Mr. Butler moved the following amendment:

Strike out all after the enacting clause and insert as follows:

"Sec. 1. That for the purpose of electing Representatives in the Congress of the United States, the State shall be divided into four districts, each of which shall elect one Representative, being an inhabitant of the same district, in the manner hereinafter provided.

"Sec. 2. The said four districts shall be as follows, to wit:—The Counties of Bennington, Rutland and Addison, and the towns of Warren and Roxbury, in the County of Washington, shall constitute one district, and be called Number One.

"Sec. 3. The Counties of Windham and Windsor, and the towns of Thetford, Strafford and Tunbridge, in the County of Orange, shall constitute one district, and be called Number Two.

"Sec. 4. The Counties of Chittenden, Grand Isle, Franklin, Lamoille, and all the towns in the County of Orleans, excepting the towns of Greensboro', Glover, Barton and Westmore, in said County of Orleans, shall constitute one district, and be called Number Three.

"Sec. 5. The County of Orange, excepting the towns of Thetford, Strafford and Tunbridge, the County of Washington, excepting the towns of Warren and Roxbury, the Counties of Caledonia and Essex, and the towns of Greensboro', Glover, Barton and Westmore, in the County of Orleans, shall constitute one district, and be called District Number Four.

"Sec. 6. This act shall take effect from its passage."

And on the question, Will the Senate adopt the amendment proposed? the yeas and nays having been demanded by Mr. Butler, were as follows:

Those Senators who voted in the affirmative are,

Messrs. Aiken, Bartlett, Bingham, Blodgett, Butler, Dillingham, Green, Hatch, Hubell, Sheldon, Smalley, Sprague, Stevens, and Wright—14.

Those Senators who voted in the negative are,

Messrs. E. Allen, Barrett, Briggs, Camp, Cutts, Dutton, Eaton, Field, French, Munsill, Plumb, Porter, Sowles, Starr, and Townsley—15.

So the amendment was lost.

Mr. Smalley moved that the bill lie upon the table and be made the order of the day for tomorrow morning.

Which motion was lost.

Mr. Hubbell moved that the bill lie upon the table and be made the order of the day for this afternoon,

The Chair decided the motion of Mr. Hubbell to be not in order; and from this decision Mr. Dillingham took an appeal.

And on the question, Shall the decision of the Chair stand as the judgment of the Senate? the yeas and nays were taken and are as follows:

Those Senators who voted in the affirmative are,

Messrs. E. Allen, Briggs, Camp, Cutts, Dutton, Eaton, Field, French, Munsill, Plumb, Porter, Sheldon, Sowles, Starr, and Townsley—15.

Those Senators who voted in the negative are,

Messrs. Aiken, Barrett, Bartlett, Bingham, Blodgett, Butler, Dillingham, Green, Hatch, Hubbell, Smalley, Sprague, Stevens, and Wright—14.

So the decision of the Chair was affirmed.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President,—The House of Representatives concur with the Senate in their amendments to the bill (H. 108,) entitled "an act to amend section 6 of chapter 83 of the Revised Statutes."

(H. 116.) The House have passed a bill entitled "an act in amendment of 'an act to incorporate the President, Directors and Company of the Bank of Poultney,'" in which they request the concurrence of the Senate.

On motion of Mr. Sprague,

The Senate adjourned.

AFTERNOON.

(S. 52.) Mr. Starr, from the Committee on Banks, to whom was referred the bill entitled "an act in addition to chapter 18 of the Revised Statutes," reported adversely to the passage of the same, and it was

Ordered to lie upon the table.

(S. 61.) Mr. Starr, from the same Committee, reported the bill entitled "an act relating to the Bank of Windsor," with a proposal of amendment, and the bill and amendment were

Ordered to lie upon the table.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President:—The House of Representatives have passed bills of the following titles in which they request the concurrence of the Senate:

(H. 111.) "An act in addition to 'an act to incorporate the Bennington County Mutual Fire Insurance Company.'"

(H. 16.) "An act in addition to chapter 102 of the Revised Statutes."

(H. 127.) "An act in amendment of chapter 102 of the Revised Statutes."

(H. 129.) "An act laying a tax on the lands in Bradleyvale."

(H. 94.) "An act relating to the United States deposit money," and

(H. 95.) "An act in addition to 'an act establishing the County Grammar School of the County of Caledonia, in the town of Peacham,' passed Oct. 27, 1795."

A message from the Governor by Mr. Hale, Secretary of Civil and Military Affairs:

MR. PRESIDENT:—His Excellency the Governor has this day approved and signed the bill (S. 11,) entitled "an act in addition to chapter 97 of the Revised Statutes."

(S. 63.) Mr. Munsill introduced a bill entitled "an act in addition to chapter 20 of the Revised Statutes."

And it was read twice and referred to the Committee on Roads and Canals.

(S. 64.) Mr. Cutts introduced a bill entitled "an act in alteration of section 6, chapter 57 of the Revised Statutes."

And it was read twice and referred to the Committee on the Judiciary.

(H. 6.) The Senate took up the bill from the House of Representatives entitled "an act in addition to chapter 29 of the Revised Statutes," and on motion of Mr. Briggs, it was committed to a Senator for amendment by the addition of the following section:

"Sec. 10. When an execution shall issue against any trustee, and the same shall be duly returned unsatisfied, an *alias* execution may be issued against the body of such trustee."

And the bill was reported thus amended, and passed in concurrence.

(H. 116.) The Senate took into consideration the bill from the House entitled "an act in amendment of 'an act to incorporate the President, Directors and Company of the Bank of Poultney,'" and it was read twice and

Ordered to lie upon the table.

(S. 47.) The Senate took up the engrossed bill entitled "an act laying a tax on the County of Chittenden," and it was read the third time and passed.

Mr. E. Allen, from the Committee on Bills, reported that they had presented to the Governor, for his approval and signature, bills of the following titles:

(H. 76.) "An act in amendment of an act laying a tax on the lands in Newark, approved November 11, 1841."

(S. 11.) "An act in addition to chapter 97 of the Revised Statutes."

(H. 98.) "An act laying a tax on the lands in Wenlock."

(H. 52.) "An act in addition to chapter 18 of the Revised Statutes."

(H. 65.) "An act to annex the town of Norton to the County of Essex."

(H. 84.) "An act to restore Moses Warner to his legal privileges."

(H. 89.) "An act in addition to 'an act to incorporate the Windsor County Mutual Fire Insurance Company.'"

The Senate adjourned.

FRIDAY, Nov. 4, 1842.

Prayer by the Chaplain.

The Journal of yesterday was read.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT:—The Governor has announced to the House that he did, on yesterday, approve and sign the following entitled bills:

(H. 89.) "An act in addition to an act to incorporate the Windsor County Mutual Fire Insurance Company."

(H. 84.) "An act to restore Moses Warner to his legal privileges."

(H. 65.) "An act to annex the town of Norton to the County of Essex."

(H. 98.) "An act laying a tax on the lands in Wenlock."

(H. 76.) "An act in amendment of an act laying a tax on the lands in Newark, approved Nov. 11, 1841," and

(H. 52.) "An act in addition to chapter 18 of the Revised Statutes."

The House have passed a resolution providing for the distribution of volume 13 of Vermont Reports; a resolution relative to the right of Henry Stowell to hold the office of a Commissioner of the Deaf, Dumb, and Blind; and a bill (H. 128,) entitled "an act in addition to chapter 41 of the Revised Statutes," in which they request the concurrence of the Senate.

The House concur with the Senate in passing the resolution relative to the claims of Vermont upon the General Government; and in passing the following entitled bills:

(S. 31.) "An act in relation to actions of Scire Facias," and

(S. 34.) "An act defining the 4th and 5th clauses of the 1st section of the 47th chapter of the Revised Statutes."

The Senate took up the following entitled bills from the House of Representatives, and they were severally read the first and second times and referred as follows:

(H. 16.) "An act in addition to chapter 102 of the Revised Statutes,"

(H. 111.) "An act in addition to 'an act to incorporate the Bennington County Mutual Fire Insurance Company,'" and

(H. 127.) "An act in amendment of chapter 102 of the Revised Statutes," to the Committee on the Judiciary.

(H. 129.) "An act laying a tax on the lands in Bradleyvale," to the Committee on Land Taxes.

(H. 94.) "An act relating to the United States deposit money," to the Committee on Finance; and

(H. 95.) "An act in addition to 'an act establishing the County Grammar School of the County of Caledonia, in the town of Peacham,' passed Oct. 27, 1795," to the Committee on Education.

(S. 65.) Mr. Briggs, introduced a bill entitled "an act in addition to an act to incorporate the Goshen Turnpike Company."

And it was read the first and second times, and referred to the Committee on Roads and Canals.

Mr. Smalley presented the petition of A. B. Shepard and 91 others, praying that the further collection of the School Fund may be suspened.

And it was read and referred to the Committee on Finance.

Mr. French introduced the following resolution:

Resolved, by the Senate and House of Representatives, That the Commissioner of the School Fund be directed to suspend the collection of the demands due from individuals to said fund, upon receiving the interest due thereon, and ample security, to the satisfaction of said Commissioner, that the interest shall be paid annually, and the principal in four years.

And it was read and passed.

(S. 66.) Mr. Smalley introduced a bill entitled "an act fixing the time of holding the County Courts in the Counties of Chittenden and Lamoille."

And it was read the first and second times and referred to the Committee on the Judiciary.

(S. 67.) Mr. Smalley introduced a bill entitled "an act altering the third and fifth Judicial Circuits."

And it was read the first and second times, and referred to the Committee on the Judiciary.

(S. 4.) The Senate took into consideration the order of the day, being the bill entitled "an act abolishing capital punishment," and, without acting thereon,

On motion of Mr. Starr,

The Senate adjourned.

AFTERNOON.

(S. 68.) Mr. Briggs introduced a bill entitled "an act in addition to chapter 19 of the Revised Statutes, relating to the instruction of the Deaf, Dumb and Blind."

And it was read the first and second times and referred to the Committee on Finance.

Mr. Sowles, from the Committee on Agriculture, to whom was referred the resolution relative to a geological survey of the State, reported a bill (S. 69,) entitled "an act providing for a geological survey of the State."

And it was read the first and second times, and

Ordered to lie upon the table.

(S. 13.) Mr. Butler called up the bill on the table entitled "an act altering the name of Gilman Sinclair," and it was

Ordered to be engrossed and read the third time.

(S. 4.) The Senate resumed consideration of the bill entitled "an act abolishing capital punishment," being the unfinished business of this morning.

And on the question, Shall the bill be engrossed and read the third time? the yeas and nays, being demanded by Mr. Sheldon, were as follows:

Those Senators who voted in the affirmative are,

Messrs. Aiken, Blodgett, Butler, Dillingham, Plumb, and Sprague—6.

Those Senators who voted in the negative are,

Messrs. E. Allen, Barrett, Bartlett, Bingham, Briggs, Camp, Cutts, Dutton, Eaton, Field, Green, Hatch, Hubbell, Porter, Sheldon, Smalley, Sowles, Starr, Stevens, Townsley, and Wright—21.

So the third reading was denied.

On motion of Mr. Hatch,

The Senate adjourned.

SATURDAY, NOV. 5, 1842.

Prayer by the Chaplain.

The journal of yesterday was read.

(H. 129.) Mr. Barrett, from the Committee on Land Taxes, to whom was referred the bill from the House entitled "an act laying a tax on the lands in Bradley Vale," reported the same without amendment, and it was

Read the third time, and passed in concurrence.

(S. 30.) Mr. Porter, from the Committee on Manufactures, to whom was referred the bill entitled "an act defining the 50th section of the 68th chapter of the Revised Statutes," reported adversely to the passage of the same,

And the third reading was denied.

(S. 41.) Mr. Porter, from the Committee on Roads and Canals, to whom was referred the bill entitled "an act relating to highways," reported the same, with the following proposal of amendment:

Add to the first section, as follows:

"*Provided*, That in all cases when any Legislative Committee may have laid such road through two or more towns, the same proceedings shall be had as is provided by the 20th chapter of the Revised Statutes, for laying, altering or discontinuing roads through two or more towns."

And the amendment was adopted, and the bill, as amended,

Ordered to be engrossed and read the third time.

(S. 13.) The engrossed bill entitled "an act altering the name of Gilman Sinclair," was taken up and passed.

(S. 70.) Mr. Smalley introduced a bill entitled "an act to pay Zadock Thompson the sum therein mentioned."

And it was read the first and second times, and referred to the Committee on Education.

(S. 71.) Mr. Camp introduced a bill entitled "an act in relation to the Militia."

On his motion, the rules were suspended, and the bill was read the first and second times by its title, and

Ordered to lie upon the table.

(H. 127.) Mr. Dillingham, from the Committee on the Judiciary, to whom was referred the bill from the House entitled "an act in amendment of chapter 102 of the Revised Statutes," reported the same without amendment.

And it was read the third time and passed in concurrence.

(H. 16.) Mr. Dillingham, from the same Committee, to whom was referred the bill from the House entitled "an act in addition to chapter 102 of the Revised Statutes," reported adversely to the passage of the same.

And the third reading was denied.

Mr. Hubbell called up the resolution relative to adjournment.

Mr. Eaton moved to amend the same by striking out the words "at six o'clock A. M."

And the amendment was adopted, and the resolution

Ordered to lie upon the table.

The following resolution from the House, to wit:

Resolved, by the Senate and House of Representatives, That Henry Stowell, Postmaster at Cambridge, was not constitutionally eligible to the office of Commissioner of the Deaf, Dumb and Blind, at the time of his last election, and has had no right to perform the duties of such Commissioner, during the past year.

Was taken up, read, and referred to a select Committee of three Senators.

The following resolution from the House was taken up:

Resolved, by the Senate and House of Representatives, That the Librarian be directed to deliver to the Representative of each town in this State one copy of the 13th volume of the Vermont Reports for the use of said town, and take his receipt therefor.

And it was read and passed in concurrence.

(H. 128.) The Senate took into consideration the bill from the House entitled "an act in addition to chapter 41 of the Revised Statutes," and it was read the first and second times and referred to the Committee on the Judiciary.

(H. 15.) The Senate took up the unfinished business of yesterday, being the bill from the House entitled "an act to divide the State into Congressional Districts."

And on the question, Shall the bill be read the third time? the yeas and nays having been demanded by Mr. Hubbell, were as follows:

Those Senators who voted in the affirmative are,

Messrs. E. Allen, Barrett, Briggs, Camp, Cutts, Dutton, Eaton, Field, French, Munsill, Plumb, Porter, Sowles, Starr, and Townsley—15.

Those Senators who voted in the negative are,

Messrs. Aiken, Bartlett, Bingham, Blodgett, Butler, Dillingham, Green, Hatch, Hubbell, Sheldon, Smalley, Sprague, Stevens, Wright—14.

So the bill was ordered to be read the third time.

And on the question, Shall the bill pass? the yeas and nays having been demanded by Mr. Hubbell, are as follows:

Those Senators who voted in the affirmative are,

Messrs E. Allen, Barrett, Briggs, Camp, Cutts, Dutton, Eaton, Field, French, Munsill, Plumb, Porter, Sowles, Starr, and Townsley—15.

Those Senators who voted in the negative are,

Messrs. Aiken, Bartlett, Bingham, Blodgett, Butler, Dillingham, Green, Hatch, Hubbell, Sheldon, Smalley, Sprague, Stevens, and Wright—14.

So the bill passed.

Mr. Blodgett called up the resolution relating to the right of Mr. Alanson Allen, Senator from Rutland, to a seat on the floor of the Senate, and on motion of Mr. Blodgett, the said resolution was laid on the table and made the order of the day for Tuesday morning next.

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

Mr. President:—His Excellency, the Governor, has this day approved and signed bills of the following titles:

(S. 20.) "An act to pay the persons therein named the sums therein mentioned."

(S. 31.) "An act in relation to actions of scire facias."

(S. 34.) "An act defining the 4th and 5th clauses of the first section of the 47th chapter of the Revised Statutes."

The Chair announced as the Committee on the resolution from the House, relating to the eligibility of certain officers, Messrs. Briggs, Bartlett and Dutton.

On motion of Mr. Bartlett,

The Senate adjourned.

AFTERNOON.

Mr. E. Allen, from the Committtee on Bills, reported that they had this day presented to the Governor for his approbation and signature bills of the following titles:

(S. 34.) "An act defining the 4th and 5th clauses of the 1st section of the 47th chapter of the Revised Statutes."

(S. 31.) "An act in relation to actions of scire facias."

(S. 20.) "An act to pay the persons therein named the sum therein mentioned."

(H. 86.) "An act to amend section 11 of chapter 16 of the Revised Statutes, relating to the support and removal of paupers."

(H. 108.) "An act in alteration of chapter 83 of the Revised Statutes."

Mr. Green asked leave of absence from and after Monday morning next.

Which was granted by the Senate.

(H. 111.) Mr. Briggs, from the Committee on the Judiciary, to whom was referred the bill from the House of Representatives entitled "an act in addition to 'an act to incorporate the Bennington County Mutual Fire Insurance Company,'" reported the same without amendment, and it was read the third time and passed in concurrence.

(S. 53.) Mr. Briggs, from the same Committee, reported the bill entitled "an act in addition to chapter 29 of the Revised Statutes," and the bill (S. 54,) entitled "an act in amendment of chapter 29 of the Revised Statutes," with the opinion of said Committee that the same ought not to pass.

And on his motion, the said bills were indefinitely postponed.

(S. 15.) Mr. Camp, from the Committee on Finance, reported adversely to the passage of the bill entitled "an act relating to claims," and the question, Shall the bill be engrossed and read the third time? was decided in the the negative.

(S. 19.) Mr. Camp, from the same Committee, to whom was referred the bill entitled "an act relating to tox certificates," and the bill (S. 46,) entitled "an act concerning recognizances," reported adversely to the passage thereof, and the further consideration of the said bills was indefinitely postponed.

(H. 113.) Mr. French, from the Committee on the Judiciary, reported the bill from the House entitled "an act relating to elections," with the opinion of the Committee that the same ought not to pass, and it was laid on the table.

(S. 72.) Mr. Bartlett, from the Committee on Finance, to whom was referred the report of the Commissioners appointed to examine and report the condition of the Essex Bank, reported a bill entitled "an act in amendment of chapter 80 of the Revised Statutes."

Which was read twice and

Ordered to be engrossed and read the third time.

(H. 94.) Mr. Camp, from the Committee on Finance, to whom was referred the bill from the House entitled "an act relating to the United States deposit money," reported the same with a proposal to amend its title by inserting after the word "to" the words "the trustees of."

Which amendment was adopted, and the bill was

Ordered to lie upon the table.

(S. 73.) Mr. Eaton, from the Committee on Education, to whom was referred the report of the Committee appointed by the Governor to investigate the affairs of the University of Vermont, reported a bill entitled "an act directing the Commissioner of the School Fund to cancel demands against the University of Vermont."

Which was read twice, laid on the table, and made the order of the day for Monday afternoon next.

Mr. Hubbell called up the resolution introduced by Mr. Eaton, relative

to the Grand List, and on motion of Mr. Plumb, it was indefinitely postponed.

(S. 61.) Mr. Cutts called up the bill entitled "an act relating to the Bank of Windsor," with the amendment proposed thereto, and the said amendment was adopted, and the bill as amended, was

Ordered to be engrossed and read the third time.

The following bills from the House of Representatives were taken up, severally read twice, and referred to the Committee on the Judiciary:

(H. 90.) "An act altering the name of Elvira Patterson and constituting her heir at law of Osee F. and Huldah Allen," and

(H. 122.) "An act in alteration of chapter 107 of the Revised Statutes, in relation to jurors' fees."

(S. 41.) The Senate took up the engrossed bill entitled "an act relating to highways," and it was read the third time and passed.

(H. 116.) The bill from the House entitled "an act in amendment of 'an act to incorporate the President, Directors and Company of the Bank of Poultney," was read the third time and passed in concurrence.

The resolution from the House relating to the pensions of widows of Revolutionary officers and soldiers, was taken up and referred to the Committee on Finance.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President,—The Governor has announced to the House of Representatives that he has this day approved and signed bills of the following titles:

(H. 86.) "An act to amend section 11 of chapter 16 of the Revised Statutes," and

(H. 108.) "An act to amend section 6 of chapter 83 of the Revised Statutes."

The House do not concur with the Senate in passing a resolution relating to the collection of the School Fund.

(S. 55.) The Senate took up the bill entitled "an act in addition to and explanation of section 14 of chapter 1 of the Revised Statutes," and the question, Shall the bill be engrossed and read the third time? was decided in the negative.

(S. 56.) The Senate, as in Committee of the whole, considered the bill entitled "an act defining the qualifications and rights of freemen, and for other purposes," and having made progress therein, the Committtee rose and reported the bill to the Senate, and on motion of Mr. Bartlett, it was laid on the table.

The Senate adjourned.

MONDAY, NOV. 7, 1842.

Prayer by the Chaplain.

The Journal of yesterday was read.

Mr. Hubbell introduced the following resolutions:

Whereas the Legislature of this State did, at the last session, resolve, that the tariff laws as then existing, were defective and insufficient; and

Whereas the Legislature did further resolve, that our Senators in Congress be instructed, and our Representatives requested, to use all honorable means in their power to procure the passage of laws, which, while they should guard against the numerous frauds and evasions thus practised upon us by foreigners and foreign agents, and while they should raise a revenue sufficient only for the necessary expenses of Government, and should have a due regard to the particular interests of every section of our country, might give, by protective duties, such a preference to domestic over foreign products in our own markets, and might so discriminate between those articles which we could, and those we could not, produce at home, as to give a just, sure, and salutary, encouragement to the industry of every American citizen; and

Whereas, the tariff law of the last session of Congress, does not, in the opinion of this Legislature, afford such protection to the domestic products of Vermont, over foreign, especially upon our principal staple, wool, as was contemplated by said resolutions,—therefore,

Resolved, by the Senate and House of Representatives, That our Senators in Congress be instructed, and our Representatives requested, to use all honorable means in their power to procure such a modification of said tariff law as shall more effectually protect the wool growing interest of Vermont.

Resolved, That His Excellency the Governor be requested to forward a copy of the foregoing preamble and resolution to each of our Senators and Representatives in Congress.

And they were read, and, the motion to lie upon the table being rejected, Mr. Cutts moved that the said resolutions be referred to the select Committee on the resolutions from other States.

And on the question, Will the Senate so refer? the yeas and nays, having been demanded by Mr. Hubbell, were as follows:

Those Senators who voted in the affirmative are:

Messrs. E. Allen, Barrett, Briggs, Camp, Cutts, Dutton, Eaton, Field, French, Plumb, Porter, Sowles, Starr, and Townsley—14.

Those Senators who voted in the negative are,

Messrs. Aiken, Bartlett, Bingham, Butler, Green, Hatch, Hubbell, Sheldon, Smalley, Sprague, Stevens and Wright—12.

So the motion of Mr. Cutts prevailed.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT:—The House have passed a resolution relative to the adjournment of the General Assembly, and bills of the following titles:

(H. 149.) "An act to amend section 23 of chapter 21 of the Revised Statutes."

(H. 22.) "An act in alteration of section 2 of chapter 21 of the Revised Statutes."

(H. 134.) "An act to continue in force and in amendment of an act laying a tax on lands in Goshen."

(H. 106.) "An act in amendment of 'an act laying a tax on the lands in Avery's Gore in Addison County,'" and

(H. 131.) "An act to amend 'an act to incorporate the President, Directors and Company of the Bank of Montpelier,'" in which they request the concurrence of the Senate.

(S. 74.) Mr. Plumb introduced a bill entitled "an act in alteration of chapter 83 of the Revised Statutes."

Which was read the first and second times, and referred to the Committee on Finance.

(S. 75.) Mr. Bartlett introduced a bill entitled "an act to repeal the 16th section of chapter 1 of the Revised Statutes."

Which was read the first and second times and

Ordered to lie upon the table.

(S. 76.) Mr. Starr introduced a bill entitled "an act relating to the preservation of fur."

And it was read the first and second times, and referred to the Committee on Agriculture.

The following resolution from the House:

Resolved, by the Senate and House of Representatives, That the two Houses adjourn, without day, on Friday the 11th day of November inst., at 5 o'clock A. M.

Was read, and on motion of Mr. Eaton, amended by striking out the words "at 5 o'clock A. M.," and, thus amended, passed in concurrence.

The following bills from the House were taken up, read the first and second times, and severally referred as follows:

(H. 149.) "An act to amend section 23 of chapter 21 of the Revised Statutes," and

(H. 22.) "An act in alteration of section 2 of chapter 21 of the Revised Statutes," to the Committee on Roads and Canals.

(H. 106.) "An act in amendment of an act laying a tax on the lands in Avery's Gore in Addison county," and

(H. 134.) "An act to continue in force, and in amendment of an act laying a tax on the lands in Goshen," to the Committee on Land Taxes, and

(H. 131.) "An act to amend an act to incorporate the President, Directors and Company of the Bank of Montpelier," to the Committee on Banks.

The following engrossed bills were taken up, severally read the third time and passed:

(S. 40.) "An act for surveying and ascertaining the boundary line between the Counties of Bennington and Windham,"

(S. 43.) "An act in addition to chapter 20 of the Revised Statutes,"

(S. 29.) "An act in addition to chapter 44 of the Revised Statutes,"

(S. 61.) "An act relating to the Bank of Windsor," and

(S. 72.) "An act in amendment of chapter 80 of the Revised Statutes."

Mr. Briggs, from the select committee on the resolution from the House of Representatives relative to the right of Henry Stowell, to hold the of-

fice of a Commissioner of the Deaf, Dumb and Blind, reported (see appendix) adversely to the passage of the resolution, in concurrence with the House.

And the said resolution was

Ordered to lie on the table.

(S. 56.) The Senate, as in Committee of the Whole, considered the bill entitled "an act defining the qualifications and rights of freemen, and for other purposes," and having made progress therein, reported the same.

And on motion of Mr. Sprague,

The Senate adjourned.

AFTERNOON.

(H. 106.) Mr. Barrett, from the Committee on Land Taxes, to whom were referred the bills from the House of Representatives entitled "an act in amendment of an act laying a tax on the Lands in Avery's Gore in Addison County," and (H. 134) "an act to continue in force, and in amendment of an act laying a tax on the lands in Goshen," reported the same without amendment, and they were

Ordered to lie upon the table.

(S. 66.) Mr. French, from the Committee on the Judiciary, to whom were referred the bills entitled "an act for fixing the time for holding the County Courts in the Counties of Chittenden and Lamoille," and (S. 67.) "an act altering the third and fifth Judicial Circuits," reported the same, without amendment, and they were, severally,

Ordered to be engrossed and read the third time.

(S. 65.) Mr. Field, from the Committee on Roads and Canals, to whom was referred the bill entitled "an act in addition to 'an act to incorporate the Goshen Turnpike Company," reported the same without amendment, and it was

Ordered to be engrossed and read the third time.

(S. 76.) Mr. Sowles, from the Committee on Agriculture, to whom was referred the bill entitled "an act relating to the preservation of Fur," reported adversely to the passage of the same, and, on motion of Mr. Briggs, it was indefinitely postponed.

(S. 63.) Mr. Smalley, from the Committee on Roads and Canals, to whom was referred the bill entitled "an act in addition to chapter 20 of the Revised Statutes," reported adversely to the passage of the same; and, it was, on his motion,

Ordered to lie upon the table.

Mr. Smalley, from the Committee on Roads and Canals, to whom was referred the resolution of inquiry, relative to laying out roads through unorganized towns and Gores of land, reported the opinion of the Committee to be that no legislative action is required thereon.

(S. 58.) Mr. Field, from the Committee on Roads and Canals, to whom

was referred the bill entitled "an act in alteration of chapter 21 of the Revised Statutes," reported the same, with the proposition to amend by filling the blank in the same, with the words "eighteen cents," and that thus amended, the bill ought to pass.

The amendment was adopted, and the bill, as amended,

Ordered to be engrossed and read the third time.

(H. 122.) Mr. Briggs, from the Judiciary Committee, to whom was referred the bill from the House entitled "an act in alteration of chapter 107 of the Revised Statutes, in relation to Juror's fees," reported the same, and

The third reading was refused.

(H. 90.) Mr. Briggs, from the same Committee, to whom was referred the bill from the House entitled "an act altering the name of Elvira Patterson, and constituting her heir-at-law of Osee F. and Huldah Allen," reported the same, with the proposition to amend by adding the following proviso to the second section thereof:

"*Provided*, That the said Osee F. and Huldah Allen, shall within one year from the passing of this act, make and subscribe their consent to the provisions of this act, and lodge the same in the town clerk's office in Craftsbury, and cause the same to be there recorded."

The amendment proposed was adopted, and the bill, thus amended, was read the third time and passed in concurrence.

(S. 50.) Mr. Stevens, from the Committee on Military Affairs, to whom was referred the bill entitled "an act to pay James Morse the sum therein mentioned," reported the same, and the blank was filled with the sum "137 45," and

The bill rejected.

Mr. E. Allen, from the Committee on Bills, reported that they had this day presented to the Governor, for his approval and signature, bills of the following titles:

(H. 129.) "An act laying a tax on the lands in Bradley Vale,"

(H. 15.) "An act to divide the state into Congressional Dictricts," and

(H. 127.) "An act in amendment of chapter 102 of the Revised Statutes."

On motion of Mr. Hubbell, the vote of the Senate concurring with the House in passing the resolution relative to the adjournment of the General Assembly, was reconsidered.

Mr. Hubbell moved to reconsider the vote adopting the amendment of Mr. Eaton, striking out the words "at 5 o'clock, A. M."

And the vote was reconsidered; and the question being, will the Senate adopt the amendment? the yeas and nays being demanded by Mr. Eaton, were as follows:

Those Senators who voted in the affirmative are,

Messrs. Aikin, Barrett, Bingham, Blodgett, Camp, Dillingham, Dutton, Eaton, Hatch, Smalley, Sprague and Stevens—12.

Those Senators who voted in the negative are,

Messrs. E. Allen, Bartlett, Briggs, Butler, Cutts, Field, French, Hubbell, Plumb, Porter, Sheldon, Sowles, Starr, Townsley and Wright—15.

So the amendment was rejected.

Mr. Eaton moved to lay the resolution upon the table, and that it be made the order of the day for Wednesday morning next; and on this motion of Mr. Townsley demanded the yeas and nays, which are as follows:

Those Senators who voted in the affirmative are,

Messrs. Barrett, Bartlett, Blodgett, Butler, Camp, Dillingham, Eaton, French, Hatch, Smalley, Sprague, Stevens,—12.

Those Senators who voted in the negative are,

Messrs. Aiken, E. Allen, Bingham, Briggs, Cutts, Dutton, Field, Hubbell, Munsill, Plumb, Porter, Sheldon, Sowles, Starr, Townsley and Wright —16.

So the motion was lost.

And the question being, will the Senate concur with the House in passing the resolution; the yeas and nays, being demanded by Mr. Camp, were as follows:

Those Senators who voted in the affirmative are,

Messrs. Aiken, E. Allen, Barrett, Bartlett, Bingham, Briggs, Butler, Cutts, Dutton, Field, Hatch, Hubbell, Munsill, Plumb, Porter, Sheldon, Smalley, Sowles, Starr, Townsley and Wright—21.

Those Senators who voted in the negative are,

Messrs. Blodgett, Camp, Dillingham, Eaton, French, Sprague, and Stevens—7.

So the resolution was passed in concurrence.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President: I am directed to communicate to the Senate, sundry documents relative to the State Prison, heretofore transmitted to the House of Representatives, by His Excellency the Governor, for the use of the General Assembly.

The Governor has announced to the House that he has this day approved and signed bills of the following titles:

(H. 127.) "An act in amendment of Chapter 102 of the Revised Statutes."

(H. 116.) "An act in amendment of an act to incorporate the President, Directors and Company of the Bank of Poultney."

(H. 111.) "An act in addition to an act to incorporate the Bennington County Mutual Fire Insurance Company."

(H. 129.) "An act laying a tax on the lands in Bradley Vale."

(H. 15.) "An act to divide the State into Congressional Districts."

(S. 56.) The Senate took up the unfinished business, being the bill entitled "an act defining the qualifications and rights of freemen, and for other purposes," and having made progress therein, rose and reported the same, with sundry propositions of amendment, which were adopted.

Mr. Barrett moved to insert, in section 5, after the words "selectmen," the words "any number of,"

Which was adopted.

On motion of Mr. Butler the sixth section was stricken out.

Mr. Dillingham moved to amend by adding to the 4th section, as follows:

"Nor shall any such student be permitted to vote in any town, where such school, academy, seminary or college is situated, unless he has a residence in such town other than that of a student residing there for the purposes of education."

And the amendment was adopted, and the bill, as amended

Ordered to be engrossed and read the third time.

(S. 62.) The Senate took into consideration the bill on the table entit-

led "an act relating to Public Accounts," and having considered the same as in Committee of the Whole, rose and reported progress, and the bill was

Ordered to lie upon the table.

Mr. Briggs introduced the following resolution:

Resolved, That during the remainder of the session, the Senate meet at 6 1-2 o'clock P. M., in addition to the usual times of meeting.

Which was read and passed.

On motion of Mr. Hubbell,

The Senate adjourned.

TUESDAY, NOV. 8, 1842.

Prayer by the Chaplain.

The journal of yesterday was read.

(S. 21.) Mr. Dillingham, from the Committee on the Judiciary, to whom was referred the bill entitled "an act for the relief of Salma Davis and others," reported the same with a proposal to fill the blank therein with the sum of "$842," and the recommendation that the bill pass.

And the blank was so filled, and the bill

Ordered to be engrossed and read the third time.

(S. 14.) Mr. Dillingham, from the same Committee, reported the bill entitled "an act in addition to chapter 24 of the Revised Statutes," and moved that the further consideration thereof be indefinitely postponed.

And it was so ordered.

Mr. Briggs called up the report on the table, relative to the right of Henry Stowell to perform the duties of a Commissioner of the Deaf, Dumb and Blind, for the year 1841-2.

And the question, Will the Senate concur with the House in passing the resolutions? was decided in the negative.

Mr. Sprague introduced the following resolution:

Resolved, That the Committee on the Grand List be requested to enquire into the expediency of so amending the listing law taxing bank stock as to include corporations who are owners, as well as individuals.

And it was read and passed.

Mr. Starr, from the select Committee on the resolutions and documents from other States, communicated by the Governor, made a report (see Appendix,) on the resolutions of the Legislature of the State of New York, relative to reducing the rates of postage, and abridging the franking privilege, concluding with the following resolutions:

Resolved, by the Senate and House of Representatives of the State of Vermont, That they do concur in the said resolutions of the Legislature of the State of New York; and that our Senators and Representatives in Congress be respectfully requested to use their best endeavors to procure a reform in the Post Office laws in conformity with the above views.

Resolved, That the Executive of this State be respectfully requested to transmit copies of the foregoing report and resolutions to the Senators and Representatives of this State in Congress, and also to the Executives of our sister States, with the view to their being laid before their respective legislative bodies.

And the said resolutions were passed.

(S. 5.) Mr. Butler, from the select Committee, to whom was referred the bill entitled "an act relating to the punishment of capital crimes," reported the same without amendment, and on motion of Mr. Briggs, it was

Ordered to lie upon the table.

(H. 131.) Mr. Sowles, from the Committee on Banks, to whom was referred the bill from the House of Representatives entitled "an act to amend an act to incorporate the President, Directors and Company of the Bank of Montpelier," reported the same, with the proposal to amend the same by inserting, after the words "fifty thousand dollars," the words "instead of the sum, seventy-five thousand dollars, as provided in the act to which this is an amendment."

And the amendment was adopted, and the bill, as amended, passed in concurrence.

(S. 69.) Mr. Sowles called up the bill entitled "an act providing for a geological survey of this State."

Mr. Hatch offered the following amendment to section 4:

"Provided, that no money shall be expended for the purpose aforesaid, until the amount the State is now owing is paid."

And the amendment was rejected.

Mr. Sprague moved that the further consideration of the bill be indefinitely postponed, and on this question, demanded the yeas and nays, which were as follows:

Those Senators who voted in the affirmative are,

Messrs. Blodgett, Butler, Hatch, Sprague, Stevens, and Wright—6.

Those Senators who voted in the negative are,

Messrs. Aiken, E. Allen, Barrett, Bingham, Briggs, Cutts, Dutton, Eaton, Field, French, Munsill, Plumb, Porter, Sheldon, Smalley, Sowles, and Starr—17.

So the motion was lost, and the bill was

Ordered to be engrossed and read the third time.

On motion of Mr. Sowles, the rules were suspended, and the bill was read the third time.

And on the question, Shall the bill pass? the yeas and nays, being demanded by Mr. Blodgett, were as follows:

Those Senators who voted in the affirmative are,

Messrs. Aiken, E. Allen, Barrett, Briggs, Cutts, Dutton, Eaton, Field, French, Munsill, Plumb, Porter, Sheldon, Smalley, Sowles, and Starr—16.

Those Senators who voted in the negative are,

Messrs. Blodgett, Butler, Hatch, Sprague and Wright—5.

So the bill passed.

(S. 58.) The Senate took up the engrossed bill entitled "an act in alteration of chapter 21 of the Revised Statutes," and it was read the third time and passed.

(S. 67.) The Senate took up the engrossed bill entitled "an act altering the third and fifth judicial circuits," and it was read the third time.

And on the question, Shall the bill pass? the yeas and nays, being demanded by Mr. Butler, were as follows:

Those Senators who voted in the affirmative are,

Messrs. E. Allen, Barrett, Bartlett, Blodgett, Briggs, Cutts, French, Hubbell, Munsill, Plumb, Porter, Sheldon, Smalley, Sowles, Starr, and Stevens—16.

Those Senators who voted in the negative are,

Messrs. Aiken, Bingham, Butler, Camp, Eaton, Hatch, Sprague, Wright —8.

So the bill passed.

(S. 66.) The Senate took up the engrossed bill entitled "an act fixing the time for holding the County Courts in the Counties of Chittenden and Lamoille," and it was read the third time and passed.

(S. 65.) The engrossed bill entitled "an act in addition to an act to incorporate Goshen Turnpike Company," was taken up, read the third time and passed.

The following bills from the House of Representatives were taken up, and severally read the third time and passed in concurrence:

(H. 106.) "An act in amendment of 'an act laying a tax on the lands in Avery's Gore in Addison County,'" and

(H. 134.) "An act to continue in force and in amendment of an act laying a tax on lands in Goshen."

On motion of Mr. Sheldon,

The Senate adjourned.

AFTERNOON.

Mr. Camp, from the Committee on Finance, to whom was referred the resolution from the House, relating to widows' pensions, reported the said resolution without amendment, and it was passed concurrently.

(S. 74.) Mr. Camp, from the same Committee, to whom was referred the bill entitled "an act in alteration of chapter 83 of the Revised Statutes," reported adversely to the passage of the same, and on his motion it was

Ordered to lie upon the table.

(H. 128.) Mr. Briggs, from the Committee on the Judiciary, to whom was referred the bill from the House entitled "an act in addition to chapter 41 of the Revised Statutes," reported the same without amendment, and it was read the third time and passed in concurrence.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT:—The House of Representatives have passed bills of the following titles, in which they request the concurrence of the Senate:

(H. 101.) "An act relating to banks."

(H. 138.) "An act regulating fees."

(H. 152.) "An act to incorporate the Branch Turnpike Company," and

(H. 143.) "An act fixing the salary of Secretary of Civil and Military Affairs."

(H. 131.) The House concur in adopting the amendments of the Senate to bills entitled "an act to amend 'an act to incorporate the President, Directors and Company of the Bank of Montpelier,'" and

(H. 90.) "An act altering the name of Elvira Patterson and constituting her an heir at law of Osee F. and Huldah Allen."

The Senate took up the following entitled bills from the House, and they were severally read the first and second times and referred as follows:

(H. 143.) "An act fixing the salary of the Secretary of Civil and Military Affairs," and

(H. 138.) "An act regulating fees," to the Committee on Finance.

(H. 152.) "An act to incorporate the Branch Turnpike Company," to the Committee on Roads and Canals.

(H. 101.) "An act relating to Banks," to the Committee on Banks.

The following communication was received from His Excellency the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

EXECUTIVE CHAMBER,
Nov. 8, 1842.

I have to inform the Senate that Elijah Farr, Esq. who was lately elected State's Attorney for Orange County, declines that office.

CHARLES PAINE.

To his Honor, WAITSTILL R. RANNEY,
President of the Senate.

(S. 51.) Mr. Cutts, from the Committee on Claims, to whom was referred the bill entitled "an act to pay John S. Pettibone the sum therein mentioned," reported the same, with the proposition to fill the blank therein with the words "seventy-two dollars."

Mr. Hubbell moved to fill the blank with the words "one hundred and twenty dollars," and, on this question, demanded the yeas and nays, which were as follows:

Those Senators who voted in the affirmative are,

Messrs. Aikin, Bartlett, Bingham, Blodgett, Butler, Dillingham, Hatch, Hubbell, Sheldon, Smalley, Sprague and Wright—12.

Those Senators who voted in the negative are,

Messrs. E. Allen, Barrett, Briggs, Camp, Cutts, Dutton, Eaton, Field, French, Munsill, Plumb, Porter, Sowles, Starr, and Townsley—15.

So the Senate refused to insert the words "one hundred and twenty dollars," and on motion of Mr. Hubbell, the bill and amendment proposed, were

Ordered to lie upon the table.

(S. 73.) Mr. Eaton called up the bill on the table entitled "an act direc-

ting the Commissioner of the School Fund, to cancel demands against the University of Vermont," and without taking any action thereon,

The Senate adjourned.

EVENING.

Mr. Briggs, from the select committee to whom was referred the petition of Thomas H. Palmer and 194 others, relating to slavery in the District of Columbia and elsewhere, reported the following resolutions, which were read and passed, to wit:

Resolved, by the Senate and House of Representatives:

1. That as the Representatives of the people of the State of Vermont, we do protest against the admission into the Union of any State whose constitution tolerates domestic slavery; or the annexation of Texas, or any other Territory, wherein slavery exists.

2. That we believe that Congress have the power, by the Constitution of the U. S. to abolish slavery and the slave trade in the District of Columbia and in the Territories of the United States; and that if Congress refuse to abolish slavery in the District of Columbia, the seat of the General Government ought to be removed from that District to a place wherein slavery and the slave-trade, do not and cannot exist.

3. That we believe Congress has the Constitutional power to prohibit the slave trade between the several states in this Union, and to make such laws as shall effectually prevent this trade, and ought to exercise this power.

4. That the Constitution of the United States ought to be amended so as to prevent the existence and maintainance of slavery in the United States, in any form or manner.

5. That our Senators in Congress be instructed, and our Representatives be requested, to present the foregoing resolutions to their respective Houses in Congress, and to use their influence to carry out the principles thereof.

6. That the Governor of this State be requested to transmit a copy of the foregoing resolutions to each of our Senators and Representatives in Congress.

(S. 74.) Mr. Plumb called up the bill entitled "an act in alteration of chapter 83 of the Revised Statutes," and it was, on his motion, laid on the table.

Mr. Briggs called up the bill entitled "an act in relation to the Militia," and by unanimous consent it was taken up and considered by the Senate as in Committee of the Whole; and having made progress therein the Committee rose and reported the same to the Senate.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT:—The House of Representatives have passed a resolution instructing the Auditor of Accounts to prosecute his inquiries as to defective accounting in the Treasury, in which they request the concurrence of the Senate.

(S. 67.) The Senate do not concur with the Senate in the passage of the bill entitled "an act altering the third and fifth Judicial Circuits."

On motion of Mr. Dillingham,
The Senate adjourned.

WEDNESDAY, Nov. 9, 1842.

Prayer by the Chaplain.

The Journal of yesterday was read.

Mr. Bartlett introduced the following resolutions:

Resolved, by the Senate and House of Representatives, That our Senators in Congress be instructed and our Representatives be requested, to use their utmost efforts to procure the passage of a law establishing the future sessions, in this State, of the Circuit and District Courts of the United States, at Montpelier, in the County of Washington.

Resolved, That the Governor be requested to transmit a copy of the foregoing resolution to the President of the United States, and to each of our Senators and Representatives in Congress.

And they were read, and

Ordered to lie on the table.

The Senate took up the following engrossed bills, and they were severally read the third times, and passed, to wit:

(S. 56.) "An act defining the qualifications and rights of freemen, and for other purposes," and

(S. 21.) "An act for the relief of Salma Davis and others."

The following resolution from the House of Representatives, was taken up and passed in concurrence:

Resolved, by the Senate and House of Representatives, That the Auditor of Accounts be directed to continue his investigation into the defective accounting in the Treasury Department, in conjunction with the Treasurer, enforce the collection of all unsettled balances, where practicable, and that the Committee on Claims audit his accounts.

(S. 23.) Mr. Porter, from the Committee on Manufactures, to whom was referred the bill entitled "an act to incorporate the St. Albans Steam Mill and Transportation Company," reported adversely to the passage of the same, and

The third reading was denied.

Mr. Camp, from the Committee on Finance, to whom was referred the

Auditor's Abstract, the Report of the Auditor in the Treasury Department, the Report of the Auditor in the Treasury on the School Fund, and the Report of the Treasurer on the state of the Safety Fund, reported the same to the Senate, and the Committee were discharged from further consideration thereof.

(S. 68.) Mr. Camp, from the Committee on Finance, to whom was referred the bill entitled "an act in addition to chapter 19 of the Revised Statutes, relating to the instruction of the deaf and dumb," reported the same without amendment.

On motion of Mr. Dillingham, the bill was so amended as to declare that it should take effect, as law, from and after its passage, and thus amended, it was

Ordered to be engrossed and read the third time.

(H. 138.) Mr. Camp, from the same Committee, reported the bill from the House, entitled "an act regulating fees," and it was

Ordered to lie upon the table.

(H. 143.) Mr. Camp, from the same Committee, reported the bill from the House entitled "an act fixing the salary of the Secretary of Civil and Military Affairs," with the opinion that it ought not to pass.

And the third reading of the bill was refused.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President:—I am directed to communicate to the Senate, the report of the Quarter Master General, and the Report of the Commissioners of the Deaf, Dumb and Blind, heretofore transmitted to the House for the use of the General Assembly.

(S. 47.) The House have passed the bill from the Senate entitled "an act laying a tax on the County of Chittenden," with a proposal of amendment in which they request the concurrence of the Senate.

The House concur with the Senate in passing the following entitled bills:

(S. 29.) "An act in addition to chapter 44 of the Revised Statutes."

(S. 61.) "An act relating to the Bank of Windsor," and

(S. 40.) "An act for surveying and ascertaining the boundary line between the Counties of Bennington and Windham."

The House have passed a resolution rescinding the joint resolution designating a day for the adjournment of the General Assembly, and fixing upon Wednesday the 16th inst. as the day for such adjournment, in which they request the concurrence of the Senate.

The following resolution from the House was taken up and passed in concurrence:

Resolved, by the Senate and House of Representatives, That the joint resolution heretofore adopted on the 7th inst., providing for the adjournment of the Legislature on Friday next, at 5 o'clock A. M., be, and hereby is, rescinded, and that both Houses do adjourn, on Wednesday next, at 5 o'clock A. M., without day.

(S. 62.) The Senate, as in Committtee of the Whole, resumed consideration of the bill entitled "an act relating to Public Accounts," and having made progress therein, the Committee rose and reported the same to the Senate with certain amendments, which were adopted, and the bill was

Ordered to be engrossed and read the third time.

(S. 23.) Mr. Blodgett moved a reconsideration of the vote rejecting the bill entitled "an act to incorporate the St. Albans Steam Mill and Transportation Company," and the same was reconsidered.

Mr. Butler offered the following amendment:

"Sec. 5. All the bonds, notes, promises, or agreements which shall be made and executed by said corporation, shall be deemed and holden to be the joint contract, promise, or agreement, of the individual members of said corporation; and whenever any judgment shall have been obtained against said corporation, and execution shall thereupon issue, and demand thereof shall be made by the officer holding the same in the manner now pointed out by law, if the same shall not be duly paid or property turned out sufficient to satisfy the same, it shall be the duty of such officer, and he is hereby empowered, to proceed and levy such execution on the goods, chattels, or estate, of any one or more of the individual members or stockholders of said corporation, or who have been members or stockholders of said corporation within two years from the time of said levy, and proceed to the collection of said execution in the same manner as if said judgment had been rendered against such members or stockholders by name."

And the bill was laid on the table.

On motion of Mr. Townsley, he was excused from further attendance on the Senate from and after tomorrow morning.

On motion of Mr. Sprague,

The Senate adjourned.

AFTERNOON.

(S. 27.) Mr. French, from the Committee on the Judiciary, to whom was referred the bill entitled "an act altering the 6th and defining the 32d section of the 45th chapter of the Revised Statutes," reported the same with proposals to amend, by striking out from the title of the bill the words "altering the 6th and," and from the body of the bill the "1st section"; and the amendments proposed were adopted, and the bill

Ordered to be engrossed and read the third time.

(H. 101.) Mr. Starr, from the Committee on Banks, to whom was referred the bill from the House entitled "an act relating to Banks," reported said bill, and it was

Ordered to lie upon the table.

(S. 51.) Mr. Sheldon called up the bill entitled "an act to pay John S. Pettibone the sum therein mentioned, and moved to fill the blank with the words "one hundred."

Which proposition was rejected.

And the question, being on filling the blank with the words "seventy-two," as proposed by the Committee, it was decided in the affirmative, and the bill

Ordered to be engrossed and read the third time.

And the bill was engrossed, read the third time and passed.

(S. 73.) Mr. Smalley called up the bill on the table, entitled "an act directing the Commissioner of the School Fund to cancel demands against the University of Vermont," and it was

Ordered to be engrossed and read the third time.

(H. 138.) Mr. Butler called up the bill from the House entitled "an act relating to fees," and offered the following amendment:

"Sec. –. Witnesses used on the trial of causes pending before auditors or referees, shall be entitled to receive the same fees as witnesses attending justice's courts."

Which amendment was rejected.

Mr. Butler offered the following amendment:

"Sec. –. Witnesses used in the trial of causes pending before auditors or referees shall receive fifty cents per day and thirty-four cents for each half day's attendance, and five cents per mile for travel."

Which amendment was also rejected.

And the question, Shall the bill be read the third time? was decided in the negative.

(S. 47.) The bill entitled "an act laying a tax on the County of Chitden," was taken up, together with the amendment proposed thereto by the House of Representatives, and the said amendment was concurred in.

(S. 73.) The engrossed bill entitled "an act directing the Commissioners of the School Fund to cancel demands against the University of Vermont," was read the third time and passed.

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

Mr. President:—His Excellency, the Governor, has this day approved and signed bills of the following titles:

(S. 29.) "An act in addition to chapter 44 of the Revised Statutes."

(S. 40.) "An act for surveying and ascertaining the boundary line between the Counties of Bennington and Windham," and

(S. 61.) "An act relating to the Bank of Windsor."

(S. 23.) The Senate took up the bill entitled "an act to incorporate the St. Albans Steam Mill and Transportation Company," together with Mr. Butler's amendment thereto.

Mr. Blodgett offered the following amendment to said amendment:

Strike out the following:—"Or who have been members or stockholders of said corporation within two years from the time of said levy," and insert "or who were members of, or stockholders in said company or corporation at the time such liability was incurred."

Which amendment was rejected.

Mr. Barrett offered the following:

Provided, that no stockholder shall be liable for a larger sum than his individual stock bears proportion to the whole stock of said corporation."

Which was also rejected.

And on the question, Shall the original amendment be adopted? Mr. Butler having demanded the yeas and nays, the same were as follows:

Those Senators who voted in the affirmative are,

Messrs. Aiken, Bingham, Blodgett, Butler, Camp, Dillingham, Field, Hatch, Plumb, Sheldon, Sowles, Stevens, and Wright—12.

Those Senators who voted in the negative are,

Messrs. E. Allen, Barrett, Cutts, Dutton, Eaton, French, Hubbell, Munsill, Porter, Smalley, and Starr—11.

So the said amendment was adopted.

Mr. Dillingham moved that the said bill be indefinitely postponed.

Which motion prevailed.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT:—The House of Representatives have passed bills of the following titles:

(H. 14.) "An act to pay William Maxham the sum therein mentioned."

(H. 91.) "An act to pay Emery Melendy the sum therein mentioned."

(H. 148.) "An act in addition to chapter 77 of the Revised Statutes, relating to the collection of taxes."

(H. 161.) "An act making appropriations for the support of Government."

(H. 162.) "An act assessing a tax for the support of Government."

(H. 163.) "An act authorizing the Treasurer to borrow the sum therein mentioned."

(H. 164.) "An act making appropriation to pay the Convention called by the Council of Censors," in which they request the concurrence of the Senate.

Mr. Sheldon, on his own motion, was discharged from further attendance on the Senate, from and after Friday morning.

The Senate adjourned.

EVENING.

(S. 23.) Mr. Camp moved to reconsider the vote of the Senate rejecting the bill entitled "an act to incorporate the St. Alban's Steam Mill and Transportation Company," which motion was lost.

The following bills from the House of Representatives were severally read twice and referred, as follows:

(H. 148.) "An act in addition to chapter 77 of the Revised Statutes, relating to the collection of taxes,"

(H. 164.) "An act making appropriations to pay the Convention called by the Council of Censors,"

(H. 163.) "An act authorizing the Treasurer to borrow the sum therein mentioned,"

(H. 162.) "An act assessing a tax for the support of Government," and

(H. 161.) "An act making appropriations for the support of Government," to the Committee on Finance.

(H. 13.) "An act relating to the electing of Representatives to Congress,"

(H. 165.) "An act in addition to chapter 95 of the Revised Statutes,"

(H. 121.) "An act in addition to chapter 77 of the Revised Statutes," to the Committee on the Judiciary.

(H. 91.) "An act to pay Emery Melendy the sum therein mentioned," to the Committee on Military Affairs.

(H. 14.) "An act to pay William Maxham the sum therein mentioned," to the Committee on Claims, and

(H. 145.) "An act in addition to and in alteration of 'an act relating to the Grand List, approved Nov. 11, 1841," to the select committee on the subject of the Grand List.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President:—The Governor has announced to the House that he has this day approved and signed bills of the following titles:

(H. 90.) "An act altering the name of Elvira Patterson and making her heir-at-law of Osee F. and Huldah Allen."

(H. 106.) "An act in amendment of 'an act laying a tax on the lands in Avery's Gore in Addison County,"

(H. 131.) "An act to amend 'an act to incorporate the President, Directors and Company of the Bank of Montpelier,"

(H. 134.) "An act to continue in force and in amendment of 'an act laying a tax on the lands in Goshen," and

(H. 128.) "An act in addition to chapter 41 of the Revised Statutes."

The House concur with the Senate in the passage of the following bill:

(S. 2.) "An act to repeal the 22d section of chapter 58 of the Revised Statutes."

(S. 71.) Mr. Briggs called up the bill entitled "an act in relation to the militia," and the Senate, sitting as in Committee of the Whole, having made progress in the consideration thereof, rose and reported the said bill to the Senate, with proposals of amendment, which were adopted, and the bill, as amended, was read the third time and passed.

(S. 77.) Mr. Briggs, from the Committee on the Judiciary, reported a bill entitled "an act to repeal an act therein mentioned," which was read twice and laid on the table.

(S. 64.) Mr. Briggs from the same Committee reported the bill entitled "an act in alteration of section 6, chapter 57 of the Revised Statutes," with a proposition to amend the same by striking out the word "ten" and inserting the word "six" in lieu thereof, which amendment was adopted, and the bill as amended, was ordered to be engrossed and read the third time.

(H. 101.) The Senate took up the bill from the House entitled "an act relating to Banks," and Mr. Hatch offered the following amendment:

Amend by striking out from the first section all of said section, after the figures "1840," (meaning so much as excepts the 39th section.)

And on the question of its adoption called the yeas and nays, which are as follows:

Those Senators who voted in the affirmative are:

Messrs. Aiken, Bingham, Blodgett, Butler, Dillingham, Eaton, Hatch, Hubbell, Smalley, Sprague, and Wright—12.

Those Senators who voted in the negative are,

Messrs. E. Allen, Barrett, Briggs, Cutts, French, Plumb, Porter, Sowles, and Starr,—9.

So the amendment was adopted.

Mr. Dillingham moved to amend the bill by striking out the last line of the second section.

Which amendment was adopted, and the bill, as amended, was read the third time and passed in concurrence.

Mr. Blodgett called up the minority report and resolutions relative to the right of Mr. A. Allen to a seat in the Senate, with the amendment proposed to said resolutions by Mr. Townsley.

Mr. Townsley withdrew his amendment.

Mr. Briggs moved to strike out the first of the said resolutions, and on this question, Mr. Blodgett called the yeas and nays, but without proceeding to call the same,

Mr. E. Allen, from the Committee on Bills, reported that they had this day submitted to the Governor, for his approval and signature, the following entitled bills:

(S. 40.) "An act for surveying and ascertaining the boundary line between the Counties of Bennington and Windham."

(S. 29.) "An act in addition to chapter 44 of the Revised Statutes."

(S. 61.) "An act relating to the Bank of Windsor."

(H. 90.) "An act altering the name of Elvira Patterson and constituting her heir at law of Osee F. and Huldah Allen."

(H. 106.) "An act in amendment of an act laying a tax on the lands in Avery's Gore, in Addison County."

(H. 128.) "An act in addition to chapter 41 of the Revised Statutes."

(H. 131.) "An act to amend an act to incorporate the President, Directors and Company of the Bank of Montpelier."

(H. 134.) "An act to continue in force, and in amendment of an act laying a tax on lands in Goshen."

On motion of Mr. Hubbell,

The Senate adjourned.

THURSDAY, NOV. 10, 1842.

Prayer by the Chaplain.

The journal of yesterday was read.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT:—The House of Representatives have voted to rescind the joint resolution relating to adjourning on Wednesday morning, and have passed a resolution providing for an adjournment on Monday morning next, at 5 o'clock, A. M. in which they request the concurrence of the Senate.

The House concur with the Senate in the passage of certain resolutions relating to slavery.

The Senate took up the said resolution relating to adjournment, which is as follows:

"*Resolved, by the Senate and House of Representatives,* That both Houses adjourn on Monday morning next, at 5 o'clock, A. M. and that the resolution providing for an adjournment on Wednesday morning be rescinded."

Mr. Blodgett moved to lay the same on the table, which motion was lost, and the said resolution was passed in concurrence.

(H. 95.) Mr. Eaton, from the Committee on Education, to whom was referred the bill entitled "an act in addition to 'an act establishing the County Grammar School of the County of Caledonia, in the town of Peacham,' passed Oct. 27, 1795, reported the same without amendment, and it was read the third time and passed in concurrence.

(S. 70.) Mr. Eaton, from the same Committee, reported the bill entitled "an act to pay Zadock Thompson the sum therein mentioned," with the proposal to fill the blank therein with the words "five hundred."

Mr. Hatch moved to insert the words "two hundred and fifty."

And the question being on filling the blank with the largest sum, to wit, "five hundred," Mr Butler demanded the yeas and nays, which were as follows:

Those Senators who voted in the affirmative are,

Messrs. E. Allen, Barrett, Briggs, Camp, Cutts, Dutton, Eaton, Field, French, Munsill, Plumb, Porter, Smalley, Sowles, and Starr—15.

Those Senators who voted in the negative are,

Messrs. Aiken, Bartlett, Bingham, Blodgett, Butler, Hatch, Hubbell, Sprague, Stevens, and Wright—10.

So the blank was ordered to be filled with the words "five hundred."

The question being, Shall the bill be engrossed and read the third time? the yeas and nays, having been demanded by Mr. Sprague, were as follows:

Those Senators who voted in the affirmative are,

Messrs. E. Allen, Barrett, Briggs, Camp, Cutts, Dutton, Eaton, Field, French, Munsill, Plumb, Porter, Smalley, Sowles, and Starr—15.

Those Senators who voted in the negative are,

Messrs. Aiken, Bartlett, Bingham, Blodgett, Butler, Hatch, Hubbell, Sprague, Stevens, and Wright—10.

So it was so ordered, and the bill, on motion of Mr. Smalley, was read the third time and passed.

(S. 62.) The Senate took up the engrossed bill entitled "an act relating to Public Accounts," and it was read the third time and passed.

(S. 68.) The Senate took up the engrossed bill entitled "an act in addition to chapter 19 of the Revised Statutes, relating to the instruction of the Deaf, Dumb and Blind," and on motion of Mr. Briggs, it was

Ordered to lie upon the table.

(S. 38.) Mr. Eaton, from the Committee on Education, to whom was referred the bill entitled "an act constituting a Boad of Education, and a general supervision of Common Schools," reported the same with sundry propositions of amendment, which were adopted, as follows:

"Strike out the 5th and 6th sections, and insert as section 5, the following:—'This act shall take effect from and after its passage'; also strike out from the title of the bill all after the word 'education.'"

Mr. Hubbell moved to lay the bill upon the table.

Which motion was rejected.

Mr. Butler moved to amend by striking out from section 2 the last sentence, providing for the compensation of a Secretary of the Board.

And the amendment was adopted.

On motion of Mr. Briggs, the bill was indefinitely postponed.

(H. 145.) Mr. Hatch, from the select Committee on the Grand List, to whom was referred the bill from the House entitled "an act in addition to, and in alteration of, an act relating to the Grand List, approved Nov. 11, 1841," reported the same with proposals of amendment.

The Senate considered the bill as in Committee of the Whole, and having made progress therein, reported the same with amendments as follows:

Section 9, in the second line, after the word "property," insert "or from the assessment for money on hand or debts due."

In the 5th line, strike out the words "considers himself," and insert in lieu thereof the word "is."

In line 14th, after the word "principal," insert "except such principal has actually failed and become irresponsible."

In line 17th, after the word "person," insert "nor for any note or other security payable at some future uncertain day without interest."

Also, add as follows:

"Sec. 13. That hereafter, whenever the listers shall assess any person for his personal estate, other than debts due from solvent debtors, and money loaned and debts secured on real estate, they shall not deduct therefrom the amount of debts due from such person."

On motion of Mr. Stevens,

The Senate adjourned.

AFTERNOON.

(S. 64.) The engrossed bill entitled "an act in alteration of section 6, chapter 57, of the Revised Statutes," and the engrossed bill (S. 27,) entitled "an act altering the 6th and defining the 32d section of chapter 45 of the Revised Statutes," were severally read the third time and passed.

(H. 152.) Mr. Field, from the Committee on Roads and Canals, reported the bill entitled "an act to incorporate the Branch Turnpike Company," without amendment, and it was read the third time and passed.

Mr. Field, from the same Committee, reported the following bills:

(H. 149.) "An act to amend section 23 of chapter 21 of the Revised Statutes," and

(H. 22.) "An act in alteration of section 2 of chapter 21 of the Revised Statutes," and they were severally laid on the table.

(H. 165.) Mr. Briggs, from the Committee on the Judiciary, reported in favor of the passage of the bill from the House entitled "an act in addition to chapter 95 of the Revised Statutes," and it was read the third time and passed in concurrence.

Mr. Hubbell, from the Committee on Claims, to whom was referred the petition of Richard F. Abbot, reported against the passage thereof, and reccommended that the petitioner have leave to withdraw his petition, which was granted.

Mr. Camp, from the Committee on Finance, reported the following bills from the House, without amendment:

(H. 164.) "An act making appropriations to pay the Convention called by the Council of Censors."

(H. 163.) "An act authorizing the Treasurer to borrow the sum therein mentioned."

(H. 162.) "An act assessing a tax for the support of Government."

(H. 161.) "An act making appropriations for the support of Government,"

And they were severally read the third time and passed in concurrence.

(H. 91.) Mr. Stevens, from the Committee on Military Affairs, to whom was referred the bill entitled "an act to pay Emery Melendy the sum therein mentioned," reported adversely to the passage thereof, and the question, "Shall the bill be read the third time?" was decided in the negative.

(H. 148.) Mr. Briggs, from the Committee on the Judiciary, reported in favor of the bill from the House entitled "an act in addition to chapter 77 of the Revised Statutes, relating to the collection of taxes," and it was read the third time and passed in concurrence.

(S. 38.) Mr. Eaton moved to reconsider the vote of this morning indefinitely postponing the bill entitled "an act constituting a Board of Edu-

cation," which motion prevailed, and the question being, Shall the bill be indefinitely postponed? Mr. Briggs withdrew said motion, and the bill, on motion of Mr. Hatch, was laid on the table.

(H. 35.) Mr. Hatch called up the bill entitled "an act in addition to and in alteration of an act relating to the Grand List, approved Nov. 11, 1841," and the Senate considered the same as in Committee of the Whole, and having made progress therein, rose and reported the same to the Senate.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President,—The House of Representatives concur with the Senate in the passage of the bill (S. 71,) entitled "an act in relation to the Militia," with proposals of amendment, in which they request the concurrence of the Senate.

(S. 69.) The House do not concur with the Senate in passing the bill entitled "an act providing for a Geological Survey of the State."

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

Mr. President:—His Excellency the Governor has this day approved and signed bills of the following titles:

(S. 2.) "An act to repeal the 22d section of chapter 28 of the Revised Statutes."

(S. 41.) "An act relating to highways."

(S. 47.) "An act laying a tax on the county of Chittenden."

On motion of Mr. Sprague,

The Senate adjourned.

EVENING.

(S. 78.) Mr. Blodgett introduced a bill entitled "an act relating to imprisonment for debt,"

And it was read the first and second times, and referred to the Committee on the Judiciary.

(S. 79.) Mr. Bartlett introduced a bill entitled "an act relating to the surplus revenue,"

Which was read the first and second times and referred to the Committee on Finance.

(S. 80.) Mr. Starr introduced a bill entitled "an act relating to paupers in jail,"

And it was read the first and second times, and referred to the Committee on the Judiciary.

(S. 81.) Mr. Dillingham introduced a bill entitled "an act relating to the collection of taxes,"

And it was read the first and second times and referred to the Committee on Finance.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT:—The House of Representatives concur with the Senate in passing the following entitled bills:

(S. 58.) "An act in alteration of chapter 21 of the Revised Statutes," and

(S. 65.) "An act in addition to an act to incorporate the Goshen Turnpike Company."

The House have passed bills of the following titles, in which they request the concurrence of the Senate:

(H. 119.) "An act relating to the punishment of capital crimes,"

(H. 150,) "An act to pay Chauncey Goodrich the sum therein mentioned,"

(H. 156.) "An act to pay the claims against the State Prison,"

(H. 2.) "An act to repeal 'an act in amendment of section 63 of chapter 28 of the Revised Statutes,'"

(H. 147.) "An act in addition to chapter 29 of the Revised Statutes."

Mr. E. Allen, from the Committee on Bills, reported that they had this day presented to the Governor, for his approval and signature, bills of the following titles:

S. 47.) "An act laying a tax on the County of Chittenden."

(S. 41.) "An act relating to highways."

(S. 2.) "An act to repeal the 22d section of chapter 58 of the Revised Statutes."

(H. 164.) "An act making appropriations to pay the Convention called by the Council of Censors."

(H. 148.) "An act in addition to chapter 77 of the Revised Statutes, relating to the collection of taxes."

(H. 165.) "An act in addition to chapter 95 of the Revised Statutes,"

(H. 152.) "An act to incorporate the Branch Turnpike Company."

(H. 163.) "An act authorizing the Treasurer to borrow the sum therein mentioned."

(H. 162.) "An act assessing a tax for the support of Government."

(H. 161.) "An act making appropriations for the support of Government."

(H. 95.) "An act in addition to 'an act establishing the County Grammar School of the County of Caledonia, in the town of Peacham.'"

(H. 145.) The Senate resumed consideration of the unfinished business, being the bill entitled "an act in addition to and in alteration of 'an act relating to the Grand List,' approved Nov. 11, 1841," as in Committee of the Whole, and, having made progress therein, reported the same with proposals of amendment in addition to those spread on the Journal of this morning.

The said amendments on the Journal of this morning were adopted by the Senate without division, with the exception of the one entitled "Sec. 13"; upon the adoption of which, the yeas and nays were demanded by Mr. Blodgett, and are as follows:

Those Senators who voted in the affirmative are:

Messrs. E. Allen, Barrett, Butler, Cutts, Dutton, Eaton, Field, French, Hubbell, Munsill, Porter, Smalley, Starr, Stevens, and Wright—15.

Those Senators who voted in the negative are,

Messrs. Aiken, Bartlett, Bingham, Blodgett, Camp, Dillingham, Hatch, Plumb, Sowles, and Sprague—10.

So the amendment was adopted.

On the question, will the Senate adopt the amendment of the Committee which provides that section 9 shall be stricken from the bill, the yeas and nays were demanded by Mr. Dillingham, and are as follows:

Those Senators who voted in the affirmative are,

Messrs. E. Allen, Barrett, Butler, Camp, Cutts, Dutton, Field, Hubbell, Munsill, Porter, Smalley, Sowles, Starr, and Stevens—14.

Those Senators who voted in the negative are,

Messrs. Aiken, Bartlett, Bingham, Blodgett, Dillingham, Eaton, French, Hatch, Plumb, Sprague, and Wright—11.

So the amendment was adopted.

On motion of Mr. Dutton, the following was adopted as a substitute to section 9, which had been ordered to be stricken from the bill:

"No deduction shall be made or allowed to any person for any debt for which he shall be holden as surety, and not as principal, except such principal has actually failed and become irresponsible, or as partner in any mercantile or other business except from the partnership property, nor for any debt which shall appear to have been a gift from such person—nor for any note or other security payable on some future uncertain day without interest."

The following amendment was proposed by the Committee:

"All merchants, manufacturers and mechanics within this State shall be assessed and set in the lists in the several towns to which they belong, in proportion to their several gains, not exceeding one hundred dollars, according to the best discretion and judgment of the listers, and shall not be assessed in any other way for their stock in trade."

And the question being, Will the Senate adopt the amendment? the yeas and nays being demanded by Mr. Hatch, are as follows:

Those Senators who voted in the affirmative are,

Messrs. E. Allen, Barrett, Butler, Camp, Cutts, Dutton, Field, Hubbell, Munsill, Porter, Smalley, Sowles, Starr, and Stevens—14.

Those Senators who voted in the negative are,

Messrs. Aiken, Bartlett, Bingham, Blodgett, Dillingham, Eaton, French, Hatch, Plumb, Sprague, and Wright—11.

So the amendment was adopted.

The following amendment was proposed by the Committee:

"Sec. 15. When any person shall think that he is assessed by the listers for money on hand, debts due, or for bank and insurance stock, or for faculty or gains, in a greater sum than is just and reasonable, such person may apply to the selectmen, or a majority of them, of the same town, and if he, by his own testimony on oath, or otherwise, can satisfy them, that his assessment is too high, it shall be the duty of the selectmen, by the 15th day of August, to lodge in the town clerk's office of such town, a certificate of the sum to which they have reduced the assessment of such person; which certificate shall be taken by the listers as the sum in which such person shall be assessed.

"Sec. 16. It shall be the duty of the person appealing to the selectmen

as aforesaid, to give notice to one or more of said listers, of the time and place of hearing said application."

And the question being, Will the Senate adopt the amendment? the yeas and nays, being demanded by Mr. Sowles, are as follows:

Those Senators who voted in the affirmative are,

Messrs. E. Allen, Barrett, Blodgett, Briggs, Butler, Cutts, Dutton, Eaton, Field, Hubbell, Munsill, Plumb, Porter, Smalley, Sowles, Starr, Stevens, and Wright—18.

Those Senators who voted in the negative are,

Messrs. Aiken, Bartlett, Bingham, Camp, Dillingham, French, and Sprague—7.

So the amendment was adopted.

On motion of Mr. Briggs, the bill and ameendments were *Ordered* to lie upon the table.

Mr. Briggs called up the resolution on the table relative to establishing the Circuit and District Courts of the U. S. at Montpelier.

Mr. Smalley moved that the same be indefinitely postponed; and on this question, the yeas and nays, having been demanded by Mr. Bartlett, were as follows:

Those Senators who voted in the affirmative are,

Messrs. E. Allen, Barrett, Briggs, Butler, Camp, Cutts, Dutton, Eaton, Field, French, Hubbell, Munsill, Plumb, Porter, Smalley, Sowles, Starr, and Wright—18.

Those Senators who voted in the negative are,

Messrs. Aiken, Bartlett, Bingham, Blodgett, Dillingham, Hatch, Sprague, and Stevens—8.

So the resolution was indefinitely postponed.

(S. 48.) Mr. French, from the Committee on the Judiciary, to whom was referred the bill entitled "an act entitled Mechanic's Liens," reported adversely to the passage of the same.

And on the question, Shall the bill be engrossed and read the third time? the yeas and nays having been demanded by Mr. Sprague, were as follows:

The Senator who voted in the affirmative is,

Mr. Sprague—1.

Those Senators who voted in the negative are,

Messrs. Aiken, E. Allen, Barrett, Bartlett, Bingham, Blodgett, Briggs, Butler, Camp, Cutts, Dillingham, Dutton, Eaton, Field, French, Hatch, Hubbell, Munsill, Plumb, Porter, Smalley, Sowles, Starr, Stevens, and Wright—25.

So the question was decided in the negative.

Mr. Bartlett, on his own motion, was excused from further attendance on the Senate from and after tomorrow morning.

The following bills from the House of Representatives were severally read twice and referred as follows:

(H. 147.) "An act in addition to chapter 29 of the Revised Statutes," to the Committee on the Judiciary.

(H. 156.) "An act to pay the claims against the State Prison," to the Committee on Finance.

(H. 150.) "An act to pay Chauncey Goodrich the sum therein mentioned," to the Committee on Claims, and

(H. 119.) "An act relating to the punishment of capital crimes," to the

select Committee raised on the Senate bill to abolish capital punishment.

(H. 2.) The bill from the House entitled "an act to repeal 'an act in amendment of section 63 of chapter 28 of the Revised Statutes,'" was read twice and laid on the table.

On motion of Mr. Briggs,
The Senate adjourned.

FRIDAY, NOV. 11, 1842.

Prayer by the Chaplain.

The Journal of yesterday was read.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT: The House of Representatives have passed a resolution for furnishing the State Library with sundry documents, in which they request the concurrence of the Senate.

(S. 21.) The House concur with the Senate in passing the bill entitled "an act for the relief of Salma Davis and others."

The House do not concur with the Senate in passing the following entitled bills:

(S. 13.) "An act altering the name of Gilman Sinclair," and

(S. 66.) "An act fixing the time for holding the County Courts in the Counties of Chittenden and Lamoille."

(H. 147.) Mr. Briggs, from the Committee on the Judiciary, to whom was referred the bill from the House entitled "an act in addition to chapter 29 of the Revised Statutes," reported the same with the proposal to amend the same by adding the following section:

"Sec. 2. This act shall take effect from its passage."

The amendment was adopted, and the bill was read the third time and passed in concurrence.

(S. 80.) Mr. Briggs, from the same Committe, reported the bill entitled "an act relating to paupers in jail," with the opinion that the same ought not to pass.

And the third reading was denied.

(H. 119.) Mr. Butler, from the select Committee on the subject of abolishing capital punishment, to whom was referred the bill from the House entitled "an act relating to the punishment of capital crimes," reported the same without amendment, and it was, on motion of Mr. Camp,

Ordered to lie upon the table, and be made the order for this evening.

(S. 81.) Mr. Camp, from the Committee on Finance, to whom was referred the bill entitled "an act relating to the collection of taxes," reported the same without amendment, and it was

Ordered to be engrossed and read the third time.

(S. 79.) Mr. Camp, from the same Committee, reported the bill entitled "an act relating to the surplus revenue," adversely, and the third reading was refused.

(H. 156.) Mr. Camp, from the same Committee, reported the bill from the House entitled "an act to pay the claims against the State Prison," with the opinion that the same ought to pass, and it was read the third time and passed in concurrence.

(H. 130.) Mr. French, from the Committee on the Judiciary, reported the bill from the House entitled "an act relating to the election of Representatives to Congress," with the opinion that the same ought to pass, and it was read the third time and passed in concurrence.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President:—The House of Representatives have passed a bill (H. 36,) entitled "an act to incorporate the Bank of Orange County," in which they request the concurrence of the Senate.

The Governor has announced to the House that he has this day approved and signed the following entitled bills:

(H. 95.) "An act in addition to 'an act establishing the County Grammar School of the County of Caledonia, in the town of Peacham,' passed Oct. 27, 1795."

(H. 161.) "An act making appropriations for the support of Government."

(H. 165.) "An act in addition to chapter 95 of the Revised Statutes."

(H. 162.) "An act assessing a tax for the support of Government."

(H. 164.) "An act making appropriations to pay the Convention called by the Council of Censors."

(H. 148.) "An act in addition to chapter 77 of the Revised Statutes, relating to the collection of taxes."

(H. 163.) "An act authorizing the Treasurer to borrow the sum therein mentioned," and

(H. 152.) "An act to incorporate the Branch Turnpike Company."

(S. 71.) The Senate took into consideration the amendments proposed by the House of Representatives to the bill entitled "an act in relation to the Militia," and the same were severally concurred in.

(S. 82.) Mr. Smalley, from the select Committee, to whom was referred the Report of Henry Stevens, and the message of the Governor accompanying the same, reported a bill entitled "an act to pay Henry Stevens the sum therein mentioned."

Which was read twice and referred to said Committee.

The Chair, on motion of Mr. Camp, appointed Mr. Hubbell to fill the vacancy in said Committee occasioned by the absence of Mr. Green.

Mr. Smalley introduced the following resolution:

Resolved, by the Senate and House of Representatives, That the Governor be requested, if in his judgment the interest of the State shall thereby be promoted, to procure the documents and papers relative to the early civil and political history of the State, to be collected and arranged, and lodged in the Secretary of State's office; and also to extend the Commission

of Henry Stevens, in the prosecution of the inquiries as to the claims of this State upon the United States, for the further time of one year.

Which resolution was read and passed.

The following resolution from the House of Representatives was read and adopted in concurrence:

Resolved, by the Senate and House of Representatives, That at least five copies of each of the several reports made by any Committee or other officer, to the Executive, or either House and printed by their order, shall be deposited in the State Library, and after the members and several officers are supplied with one copy, all the remaining copies shall be transmitted by the sargeant-at-arms to the Librarian, to be by him deposited in said Library for future reference.

(H. 36.) The bill from the House entitled "an act to incorporate the President, Directors and Company of the Orange County Bank," was read twice and laid on the table.

Mr. Starr, from the select committee on communications from other States, to whom was referred certain resolutions relating to a tariff, reported adversely to the passage of the same, and they were laid on the table.

(S. 63.) The bill entitled "an act in addition to chapter 20 of the Revised Statutes" was taken up, and on motion of Mr. Camp, indefinitely postponed.

(H. 113.) The Senate took up the bill from the House of Representatives entitled "an act relating to elections," and the question, Shall the bill be read the third time? was decided in the negative.

On motion of Mr. Hubbell,
The Senate adjourned.

AFTERNOON.

(H. 14.) Mr. Plumb, from the Committee on Claims, to whom was referred the bill from the House entitled, "an act to pay William Maxham the sum therein mentioned," reported adversely to the passage of the same, and the third reading was refused.

(H. 94.) The Senate took up the bill from the House entitled "an act relating to the United States Deposite Money."

Mr. E. Allen moved to strike out the first and second sections and substitute the following:

"Section 1. The several towns shall, at each annual meeting, elect one or more trustees, not exceeding three, in the same manner, as the other town officers are elected, whose duty it shall be to receive, take care of, and manage, the money deposited with the respective towns; and they

shall at each annual meeting of their respective towns, make a full report of the condition and situation of the deposit money received by them.

"Section 2. If any person elected trustee, according to the provision of this act, shall refuse to give bonds, as provided by section forty-eight of the eighteenth chapter of the Revised Statutes, his office shall be considered vacant, and such vacancy may be filled as provided by section twenty of chapter thirteen of the Revised Statutes."

And to insert in the title of the bill, after the word "to," the words "the trustees of."

And the said proposed amendments were adopted.

On motion of Mr. Munsill, the following amendment was adopted:

"Section 3. All acts inconsistant with the provisions of this act are hereby repealed."

And the bill, as amended, was read the third time, and passed in concurrence.

(S. 68.) The engrossed bill entitled "an act in addition to chapter 19 of the Revised Statutes, relating to the instruction of the Deaf, Dumb, and Blind," was read the third time and passed.

(H. 145.) The Senate resumed consideration of the unfinished business, being the bill from the House entiled "an act in addition to, and in alteration of 'an act relating to the Grand List,' approved Nov. 11, 1841."

Mr. E. Allen moved the following amendment:

"Sec. 17. Whenever any town in this State shall not be represented in the General Assembly, and the grand list of such town shall not exceed six hundred dollars, such town shall be exempt from the payment of its State tax; and the first section of the act entitled "an act relating to the collection of State taxes, passed Oct. 29, 1829," is hereby repealed."

Which was adopted, and the bill, as amended, read the third time and passed in concurrence.

(H. 36.) Mr. Smalley called up the bill from the House entitled "an act to incorporate the Orange County Bank," and proposed the following amendment:

"Sec. 10. All the bonds, bills, notes, promises or agreements which shall be made and executed by said corporation, shall be deemed and holden to be the joint contract, promise or agreements of the individual members of said corporation, and whenever any judgments shall have been obtained against said corporation, and execution shall thereupon issue, and demand thereof shall be made by the officer holding the same, in the manner now pointed out by law, if the same shall not be duly paid or property turned out sufficient to satisfy the same, it shall be the duty of such officer, and he is hereby empowered to proceed and levy such execution on the goods, chattels or estate of any one or more of the individual members or stockholders of said corporation, or who have been members or stockholders of such corporation within two years from the time of said levy, and proceed to the collection of said execution, in the same manner as if said judgment had been rendered against such members or stockholders by name."

Mr. Butler moved to amend the amendment proposed by Mr. Smalley, by substituting therefor as follows:

"Sec. 10. Said banking corporation shall not issue any bills until the directors thereof shall have executed bonds, to pay and redeem, according to law, all the bills issued by such bank, and to pay and refund all depos-

its made therein, according to the provisions of the thirty-ninth section of an act passed A. D. 1840, entitled 'an act relating to Banks.'"

The Senate refused so to amend the amendment, and on the question upon the amendment proposed by Mr. Smalley, the yeas and nays, being demanded by him, were as follows:

The Senator who voted in the affirmative is,

Mr. Sprague—1.

Those Senators who voted in the negative are,

Messrs. Aiken, Barrett, Bingham, Blodgett, Briggs, Butler, Camp, Cutts, Dillingham, Eaton, Field, French, Hatch, Hubbell, Munsill, Plumb, Porter, Smalley, Sowles, Starr, and Wright—21.

So the amendment was rejected.

And the bill was read the third time and passed in concurrence.

(S. 74.) Mr. Plumb called up the bill entitled "an act in alteration of chapter 83 of the Revised Statutes," and moved to amend the same by inserting in the 7th line, after the word "liquors," the words "and all penalties for the sale thereof."

Which amendment was rejected.

Mr. Plumb moved further to amend by adding the following:

"Providing, if any person or persons, hereafter shall deal in the sale of distilled spirituous liquors, to be drank in or about the house or premises where said liquor is sold, by keeping or harboring about his or their house or premises thereof, any person or persons intoxicated, or with intent to intoxicate any person or persons, by the sale as aforesaid, shall be and is hereby declared a misdemeanor; and the person or persons so offending, shall pay a fine not exceeding fifty dollars."

Which amendment was rejected, and on motion of Mr. Stevens, the bill was indefinitely postponed.

Mr. E. Allen, from the Committee on Bills, reported that they had this day submitted to the Governor, for his approval and signature, the following entitled bills:

(S. 65.) "An act in addition to an act to incorporate the Goshen Turnpike Company."

(S. 71.) "An act in relation to the Militia."

(S. 58.) "An act in alteration of chapter 21 of the Revised Statutes."

(S. 21.) "An act for the relief of Salma Davis and others."

(S. 78.) Mr. Briggs, from the Committee on the Judiciary, to whom was referred the bill entitled "an act in relation to imprisonment for debt," reported the same with the opinion of the Committee that it ought to pass.

Mr. Butler offered the following amendment, to be added as a 6th section:

"Sec. 6. If any person, or the agent or attorney of any person, after the setting of the sun on the day preceding the first day of the week, and before the hour of twelve at night, on such first day of the week, shall make an affidavit under oath, stating that he has good reason to believe and does believe, that his debtor, or the debtor of his principal, is about to abscond and go out of the limits of this State, the justice who administers the oath to such person is hereby authorized to issue a writ of attachment in common form against the property and body of such debtor; which writ may be served at any time, notwithstanding the provisions of the thirty-ninth section of the twenty-eighth chapter of the Revised Statutes."

Mr. Hubbell moved to amend the amendment by adding the following:

"Provided, that no sheriff, deputy sheriff, or constable, shall be compelled to receive any such process upon the Sabbath, for service."

Which was dopted.

And the amendment of Mr. Butler, thus amended, was adopted.

Mr. Sowles moved to amend the bill by striking out section 5, and pending this motion,

The Senate adjourned.

EVENING.

(S. 82.) Mr. Smalley, from the select Committee, on the report of Henry Stevens, reported the bill entitled "an act to pay Henry Stevens the sum therein mentioned," and asked that the Committee be discharged from further consideration thereof.

And it was so ordered.

Mr. Briggs, from the Committee on the Judiciary, reported the following entitled bills adversely, and they were severally indefinitely postponed:

(S. 59.) "An act in addition to chapter 28 of the Revised Statutes."

(S. 60.) "An act defining the limits of Jail Yards."

(S. 3.) "An act in amendment of section 63, chapter 28 of the Revised Statutes, and to repeal an act therein mentioned."

(S. 1.) "An act dividing the State into Districts and prescribing the mode of electing members of Congress," and

(S. 8.) "An act in addition to, and alteration of, chapters 28 and 103 of the Revised Statutes."

(H. 121.) Mr. Briggs, from the same Committee, reported the bill from the House entitled "an act in relation to chapter 77 of the Revised Statutes," with the proposal to amend as follows:

Insert in section 5, after the form of the advertisement, the words "which advertisement shall be recorded in the town Clerk's office of said town, and the town clerk shall certify whether the same has been published as required by law, which record and certificate shall be sufficient evidence of the fact whether such advertisement has been duly published."

And the amendment was adopted, and the bill, as amended, was read the third time and passed in concurrence.

(H. 150.) Mr. Cutts, from the Committee on Claims, to whom was referred the bill from the House entitled "an act to pay Chauncey Goodrich the sum therein mentioned," reported the same with the proposal to amend by striking out the words "seven hundred," and inserting the words "eight hundred and fifty," and on this question Mr. Butler demanded the yeas and nays, which were as follows:

Those Senators who voted in the affirmative are,

Messrs. E. Allen, Barrett, Briggs, Camp, Cutts, Eaton, Field, Hubbell, Munsill, Plumb, Porter, Smalley, and Starr—13.

Those Senators who voted in the negative are,

Messrs. Aiken, Bingham, Blodgett, Butler, Hatch, Sprague, and Wright —7.

So the amendment was adopted, and the bill as amended, was read the third time and passed in concurrence.

Mr. Munsill, from the Committee on Finance, to whom was referred the petition of A. B. Shepard and others, reported that, in the opinion of the Committee, the prayer thereof ought not to be granted.

(S. 52.) Mr. Smalley called up the bill entitled "an act in amendment of chapter 80 of the Revised Statutes," and moved to fill the blank therein with the words "four thousand," and on this question demanded the yeas and nays, which were as follows:

Those Senators who voted in the affirmative are,

Messrs. E. Allen, Briggs, Dillingham, Field, Porter, Smalley, and Wright—7.

Those Senators who voted in the negative are,

Messrs. Aiken, Barrett, Bingham, Blodgett, Butler, Camp, Cutts, Eaton, French, Hatch, Hubbell, Munsill, Plumb, Sprague, and Starr,—15.

So the proposition was rejected.

Mr. Smalley moved to fill the blank with the words "two thousand," and demanded the yeas and nays, which were as follows:

Those Senators who voted in the affirmative are,

Messrs. Aiken, E. Allen, Barrett, Bingham. Blodgett, Briggs, Butler, Camp, Cutts, Dillingham, Eaton, Field, French, Hatch, Hubbell, Munsill, Plumb, Porter, Smalley, Sprague, Starr, and Wright—22.

And no Senator voting in the negative, the motion was unanimously adopted.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President:—The House of Representatives have passed bills of the following titles, in which they request the concurrence of the Senate:

(H. 12.) "An act in alteration of chapter 25 of the Revised Statutes."

(H. 11.) "An act repealing section 2 of chapter 29 of the Revised Statutes."

(H. 71.) "An act directing the Treasurer to credit the town of Guildhall the sum therein mentioned."

(H. 112.) "An act to equalize the privileges of the inhabitants of this State."

(H. 120.) "An act in amendment of an act relating to the reporting of the decisions of the Supreme Court."

(H. 142.) "An act in addition to chapter 80 of the Revised Statutes."

(H. 154.) "An act fixing the salary of the Librarian."

(H. 168.) "An act relating to the State Library."

(H. 171.) "An act altering the names of the persons therein mentioned."

(H. 172.) "An act relating to the collection of State taxes."

(H. 173.) "An act relating to Bank Stock."

(S. 83.) Mr. French introduced a bill entitled "an act fixing the times for holding the County Courts in the County of Chittenden," which was read twice, and the rules being suspended on his motion, the same was read the third time and passed,

(S. 78.) Mr. Briggs called up the bill entitled "an act in relation to imprisonment for debt," and on his motion it was indefinitely postponed.

(H. 2.) Mr. Briggs, from the Committee on the Judiciary, reported the bill entitled "an act to repeal 'an act in amendment of section 63 of chapter 28 of the Revised Statutes,'" and it was read the third time and passed in concurrence.

The following bills from the House of Representatives were taken up, and severally read and referred as follows:

(H. 112.) "An act to equalize the privileges of the inhabitants of this State."

(H. 142.) "An act in addition to chapter 80 of the Revised Statutes."

(H. 12.) "An act in alteration of chapter 25 of the Revised Statutes," and

(H. 11.) "An act repealing section 2 of chapter 29 of the Revised Statutes," to the Committee on the Judiciary.

(H. 71.) "An act directing the Treasurer to credit the town of Guildhall the sum therein mentioned."

(H. 120.) "An act in amendment of an act relating to the reporting of the decisions of the Supreme Court," and

(H. 172.) "An act relating to the collection of State taxes," to the Committee on Finance.

(H. 171.) "An act altering the names of the persons therein mentioned," to the Committee on Roads and Canals.

(H. 173.) "An act relating to bank stock," to the Committee on Banks.

(H. 154.) "An act fixing the salary of the Librarian," and

(H. 168.) "An act relating to the State Library," were severally read twice and laid on the table.

(S. 81.) The engrossed bill entitled "an act relating to the collection of taxes," was read the third time and passed.

(H. 2.) Mr. Briggs moved to reconsider the vote passing the bill entitled "an act to repeal an act in amendment of section 63 of chapter 28 of the Revised Statutes," which motion prevailed.

Mr. Briggs proposed to amend said bill by adding thereto as an additional section:

"Sec. –. This act shall take effect from and after its passage."

Which amendment was adopted, and the bill was passed in concurrence.

(H. 171.) Mr. Field, from the Committee on Roads and Canals, reported in favor of the bill entitled "an act altering the names of certain persons," and the rules being suspended, it was read the third time and passed in concurrence.

(S. 38.) Mr. Eaton called up the bill entitled "an act constituting a Board of Education," and the Senate refused to strike out the last clause of the second section thereof.

Mr. Eaton moved to strike out the word "six" in said clause, and insert the word "four," which motion prevailed.

The bill was read the third time, and on the question, Shall the bill pass? the yeas and nays having been demanded by Mr. Eaton, were as follows:

Those Senators who voted in the affirmative are,

Messrs. Aiken, Barrett, Briggs, Cutts, Eaton, French, Munsill, Porter, and Starr—9.

Those Senators who voted in the negative are,

Messrs. Bingham, Blodgett, Butler, Dillingham, Hatch, Plumb, Smalley, Sowles, Sprague, and Wright—10.

So the bill was lost.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President:—The House of Representatives have passed bills of the following titles, in which they request the concurrence of the Senate:

(H. 160.) "An act in amendment of section 2 of chapter 43 of the Revised Statutes."

(H. 167.) "An act to repeal section 2 of an act relating to the Winooski Turnpike," and

(H. 166.) "An act in amendment of chapter 18 of the Revised Statutes."

The said bills were severally read and referred as follows:

(H. 160.) "An act in amendment of section 2 of chapter 43 of the Revised Statutes," to the Committee on the Judiciary.

(H. 166.) "An act in amendment of chapter 18 of the Revised Statutes," to the Committee on Finance.

(H. 167.) "An act to repeal section 2 of an act relating to the Winooski Turnpike," to the Committee on Roads and Canals.

(H. 119.) Mr. Butler called up the bill entitled "an act relating to the punishment of capital crimes," and on the question, Shall the bill be read the third time? the yeas and nays having been demanded by Mr. Dillingham, were as follows:

Those Senators who voted in the affirmative are:

Messrs. Aiken, Bingham, Blodgett, Briggs, Butler, Camp, Dillingham, Eaton, French, Hatch, Plumb, Smalley, and Sprague—13.

Those Senators who voted in the negative are,

Messrs. E. Allen, Barrett, Cutts, Porter, Sowles, Starr, and Wright—7.

So the question was decided in the affirmative, and the bill read the third time and passed in concurrence.

(S. 38.) Mr. Smalley moved to reconsider the vote rejecting the bill entitled "an act establishing a Board of Education," which motion prevailed, and on the question, shall the bill pass? the yeas and nays having been demanded by Mr. Smalley, were as follows:

Those Senators who voted in the affirmative are,

Messrs. Aiken, Barrett, Briggs, Camp, Cutts, Eaton, French, Munsill, Porter, Smalley, and Starr,—11.

Those Senators who voted in the negative are,

Messrs. E. Allen, Bingham, Blodgett, Butler, Dillingham, Hatch, Plumb, Sowles, Sprague, and Wright—10.

So the bill passed.

Mr. Eaton, from the select Committee on resolutions from other states, submitted a report and resolutions on the subject of certain resolutions relating to repudiation, from the state of Kentucky, which report and resolutions were adopted. (See Appendix.)

(H. 173.) Mr. Starr, from the Committee on Banks, reported in favor of the bill entitled "an act relating to Bank Stock," and the rule being suspended, it was read the third time and passed in concurrence.

Mr. Dillingham submitted the following resolution:

Resolved, That the thanks of the Senate are hereby tendered to the Hon. W. R. Ranney, for the kind, impartial and dignified manner, in which he has presided over our deliberations and discharged the duties of the Chair.

Which was unanimously adopted, and after a brief address from His Honor, the Lieut. Governor,

The Senate adjourned.

SATURDAY, Nov. 12, 1842.

Prayer by the Chaplain.

On motion of Mr. Briggs, the reading of the journal of yesterday was omitted.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT: The House of Representatives concur with the Senate in passing the bill (S. 68) entitled "an act in addition to chapter 19 of the Revised Statutes, relating to the instruction of the Deaf, Dumb and Blind."

The House do not concur with the Senate in passing the following entitled bills:

(S. 43.) "An act in addition to chapter 20 of the Revised Statutes," and

(S. 64.) "An act in alteration of section 6, chapter 57 of the Revised Statutes."

(H. 112.) Mr. Dillingham, from the Committee on the Judiciary, to whom was referred the bill from the House entitled "an act to equalize the privileges of the inhabitants of this state," reported the same, without amendment.

On motion of Mr. Briggs, the title of the bill was so amended as to read "an act relating to freehold qualifications," and, thus amended, read the third time and passed in concurrence.

(H. 11.) Mr. Dillingham, from the same committee, reported the bill from the House entitled "an act repealing section 2, of chapter 29, of the Revised Statutes," with the opinion of the Committee that it ought not to to pass.

And the third reading was denied.

(H. 160.) Mr. Briggs, from the Committee on the Judiciary, to whom was referred the bill from the House entitled "an act in amendment of

section 2 of chapter 43 of the Revised Statutes," reported the same, with the proposal to amend the same by striking out the second section.

And the amendment was adopted, and the bill, as amended, read the third time and passed in concurrence.

(H. 12.) Mr. Briggs, from the same Committee, reported the bill from the House entitled "an act in alteration of chapter 25 of the Revised Statutes,"

And it was read the third time, and on the question, Shall the bill pass? the yeas and nays, having been demanded by Mr. Cutts, were as follows:

Those Senators who voted in the affirmative are,

Messrs. E. Allen, Barrett, Blodgett, Briggs, Camp, Cutts, Dillingham, Eaton, Field, French, Hatch, Munsill, Plumb, Porter, Starr, and Wright, —16.

Those Senators who voted in the negative are,

Messrs. Aiken, Bingham, Butler, Hubbell, and Sprague,—5.

So the bill was passed in concurrence.

Mr. E. Allen, from the Committee on Bills, reported that they had this day presented to the Governor, for his approval and signature, bills of the following titles:

(H. 36.) "An act to incorporate the Orange County Bank."

(H. 156.) "An act to pay the claims against the State Prison."

(H. 130.) "An act relating to the election of Representatives to Congress."

(H. 171.) "An act altering the names of the persons therein mentioned."

(H. 119.) "An act relating to the punishment of capital crimes."

(H. 142.) Mr. French, from the Committee on the Judiciary, to whom was referred the bill from the House entitled "an act in addition to chapter 80 of the Revised Statutes," reported the same, without amendment, and it was read the third time and passed in concurrence.

(H. 172.) Mr. Camp, from the Committee on Finance, to whom was referred the bills from the House entitled "an act relating to the collection of State taxes," and (H. 166) "an act in amendment of chapter 18 of the Revised Statutes," reported the same with the opinion that they ought to pass.

And the said bills were severally read the third time and passed in concurrence.

(H. 168.) The Senate took up the bill from the House entitled "an act relating to the State Library," and it was read the third time and passed in concurrence.

(H. 120.) Mr. Camp, from the Judiciary Committee, to whom was referred the bill from the House entitled "an act in amendment of an act relating to reporting decisions of the Supreme Court," reported adversely to the passage of the same,

And the third reading was refused.

(H. 71.) Mr. Camp, from the same Committee, reported the bill from the House entitled "an act directing the Treasurer to credit the town of Guildhall the sum therein mentioned," without amendmeat, and it was read the third time and passed in concurrence.

(H. 154.) The Senate took up the bill from the House, on the table, en-

titled "an act fixing the salary of the Librarian," and it was read the third time, and passed in concurrence.

(H. 149.) The Senate took up the bills from the House, on the table, entitled "an act to amend section 23 of chapter 21 of the Revised Statutes," and (H. 22) "an act in alteration of section 2 of chapter 21 of the Revised Statutes," and the third reading of the said bills was severally refused.

The Senate took up the following entitled bills, which had been ordered to lie upon the table, and they were severally indefinitely postponed:

(S. 75.) "An act to repeal the 16th section of chapter 1 of the Revised Statutes."

(S. 5.) "An act relating to the punishment of capital crimes."

(S. 57.) "An act in addition to 'an act relating to the Grand List,' approved November 11, 1841."

(S. 77.) "An act to repeal an act therein mentioned."

(S. 44.) "An act in addition to an act relating to Banks."

(S. 26.) "An act in addition to the 26th section, chapter 21 of the Revised Statutes."

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

Mr. President:—His Excellency, the Governor, has this day approved and signed bills of the following titles:

(S. 71.) "An act in relation to the militia."

(S. 58.) "An act in alteration of chapter 21 of the Revised Statutes."

(S. 21.) "An act for the relief of Salma Davis and others."

(S. 65.) "An act in addition to an act to incorporate the Goshen Turnpike Company."

(S. 49.) The Senate took up the bill on the table entitled "an act in addition to chapter 24 of the Revised Statutes."

The following pending amendment, to wit:

In the third line, after the words "in the Court of Chancery," insert the words "for the foreclosure of any mortgage,"

Was adopted, and the bill, thus amended,

Ordered to be engrossed and read the third time.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President,—The Governor has announced to the House of Representatives that he has this day approved and signed bills of the following titles:

(H. 156.) "An act to pay the claims against the State Prison."

(H. 130.) "An act relating to the election of Representatives to Congress."

(H. 119.) "An act relating to the punishment of capital crimes."

(H. 36.) "An act to incorporate the Orange County Bank," and

(H. 171. "An act altering the names of the persons therein mentioned.

(S. 70.) The House of Representatives have passed the bill from the Senate entitled "an act to pay Zadock Thompson the sum therein mentioned," with a proposal of amendment, in which they request the concurrence of the Senate.

(S. 70.) The Senate took into consideration the amendment proposed by the House to the bill entitled "an act to pay Zadock Thompson the sum

therein mentioned," being to strike out the words "making and publishing a zoological and botanical survey of the State," and insert the words "in preparing and publishing a natural, civil and statistical history of the State."

And the amendment was adopted in concurrence.

The petition of Lucius Sanderson, which had been laid on the table, was taken up, and on motion of Mr. Cutts, the petitioner had leave to withdraw his petition.

The Senate took up the resolution from the House, relating to the pay and mileage of Members of Congress.

Mr. Munsill moved to amend the said resolution by striking out the words "to six dollars per day, and three dollars for every twenty miles travel."

And on the question, Will the Senate so amend? the yeas and nays were demanded by Mr. Munsill, and were as follows:

Those Senators who voted in the affirmative are,

Messrs. E. Allen, Barrett, Briggs, Camp, Cutts, Dillingham, Eaton, Field, Munsill, Plumb, Porter, Sowles, Starr, and Stevens—14.

Those Senators who voted in the negative are,

Messrs. Aiken, Bingham, Blodgett, Butler, Hatch, Sprague and Wright—7.

So the amendment was adopted.

And the question being, Will the Senate concur with the House, and pass the resolution as amended? the yeas and nays, being demanded by Mr. Cutts, were as follows:

Those Senators who voted in the affirmative are,

Messrs. Aiken, E. Allen, Barrett, Bingham, Blodgett, Briggs, Butler, Camp, Cutts, Dillingham, Eaton, Field, Hatch, Munsill, Plumb, Porter, Sowles, Sprague, Starr, Stevens, and Wright—21.

And no Senator voting in the negative, the resolution, as amended, was unanimously passed.

The Senate took up the resolutions introduced by Mr. Hubbell, relative to the Tariff, which had been ordered to lie upon the table, and Mr. Cutts moved the indefinite postponement of the same, and on this question, Mr. Smalley demanded the yeas and nays, which were as follows:

Those Senators who voted in the affirmative are,

Messrs. E. Allen, Barrett, Briggs, Camp, Cutts, Eaton, Field, French, Munsill, Porter, Starr—11.

Those Senators who voted in the negative are,

Messrs. Aiken, Bingham, Blodgett, Butler, Dillingham, Hatch, Hubbell, Smalley, Sprague, Stevens, and Wright—11.

There appearing to be a tie, the Secretary took the casting vote of the President, which was given in the affirmative.

So the resolutions were indefinitely postponed.

The Senate took up the resolutions relative to the right of Mr. A. Allen to a seat in the Senate.

Mr. Briggs moved the indefinite postponement of the first resolution.

And this question pending,

The Senate adjourned.

AFTERNOON.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President:—The House of Representatives concur in the amendments proposed by the Senate to the bill entitled (H. 112) "an act to equalize the privileges of the inhabitants of this State."

(S. 51.) The House have passed the bill entitled "an act to pay John S. Pettibone the sum therein mentioned," with a proposal of amendment in which they request the concurrence of the Senate.

(H. 2.) The House concur in the amendment proposed by the Senate to the bill entitled "an act to repeal 'an act in amendment of section 63 of chapter 28 of the Revised Statutes,'" and do not concur in the amendment proposed to the bill (H. 101,) entitled "an act relating to Banks," nor in passing the bill (S. 56,) entitled "an act defining the qualifications and rights of freemen, and for other purposes."

(S. 51.) The Senate took into consideration the amendment proposed by the House to the bill entitled "an act to pay John S. Pettibone the sum therein mentioned," and on the question, Will the Senate concur with the House and adopt the amendment? the yeas and nays, being demanded by Mr. Munsill, were as follows:

Those Senators who voted in the affirmative are,

Messrs. Barrett, Bingham, Blodgett, Butler, Hatch, Hubbell, Smalley, Sprague, Stevens, and Wright—10.

Those Senators who voted in the negative are,

Messrs. E. Allen, Camp, Cutts, Eaton, Field, French, Munsill, Plumb, Porter, and Starr—10.

There appearing to be a tie, the Secretary took the casting vote of the President, which was given in the affirmative.

So the amendment was concurred in.

The Senate resumed consideration of the unfinished business, being the motion to postpone indefinitely the resolution declaring Mr. A. Allen to have been a Postmaster at the time of his election to the Senate.

On this question, the yeas and nays were demanded and were as follows:

Those Senators who voted in the affirmative are,

Messrs. E. Allen, Camp, Cutts, Eaton, French, Munsill, Plumb, and Starr—8.

Those Senators who voted in the negative are,

Messrs. Barrett, Bingham, Blodgett, Butler, Hatch, Hubbell, Sprague, Stevens and Wright—9.

So the Senate refused to postpone.

The question recurring, Shall the resolution pass? the yeas and nays were demanded and were as follows:

Those Senators who voted in the affirmative are:

Messrs. Barrett, Bingham, Blodgett, Butler, Cutts, Hatch, Hubbell, Sprague, Stevens, and Wright—10.

Those Senators who voted in the negative are,

Messrs. E. Allen, Camp, Eaton, French, Munsill, and Plumb—6.

So the resolution was passed.

The question then being on the passage of the second resolution, the yeas and nays were demanded and were as follows:

Those Senators who voted in the negative are,

Messrs. E. Allen, Barrett, Bingham, Blodgett, Butler, Hatch, Hubbell, Sprague, Stevens, and Wright—10.

Those Senators who voted in the affirmative are,

Messrs. Camp, Cutts, Eaton, French, Munsill, and Starr—6.

So the resolution was adopted.

(H. 167.) Mr. Smalley, from the Committee on Roads and Canals, to whom was referred the bill from the House entitled "an act to repeal section 2 of 'an act relating to the Winooski Turnpike Company,'" reported adversely to the passage of the same, and the third reading was refused.

(S. 49.) The Senate took up the engrossed bill entitled "an act in addition to chapter 24 of the Revised Statutes," and it was read the third time and passed.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President:—The House of Representatives concur in the amendments proposed by the Senate to the bill (H. 6,) entitled "an act in addition to chapter 29 of the Revised Statutes," and the bill (H. 121,) entitled "an act in addition to chapter 77 of the Revised Statues."

The House concur with the Senate in passing the following entitled bills:

(S. 83.) "An act fixing the time for holding the County Courts in the County of Chittenden."

(S. 27.) "An act altering the 6th and defining the 32d sections of the 45th chapter of the Revised Statutes."

(S. 81.) "An act relating to the collection of Taxes."

(S. 72.) "An act in amendment of chapter 80 of the Revised Statutes," and

(S. 62.) "An act relating to Public Accounts."

(H. 150.) The House do not concur with the Senate in their amendment proposed to the bill entitled "an act to pay Chauncey Goodrich the sum therein mentioned."

Mr. Porter, from the Committee on Roads and Canals, to whom was referred the petition of William Maxham and others, reported adversely to the prayer of the petition, and the petitioners had leave to withdraw their petition.

(H. 101.) The Senate considered their amendment to the bill from the House entitled "an act relating to Banks," which was returned from the House with their non-concurrence.

And on the question, Will the Senate insist on their proposed amendment? the yeas and nays were demanded and were as follows:

Those Senators who voted in the affirmative are,

Messrs. Bingham, Blodgett, Butler, Hatch, Hubbell, Smalley, Sprague, and Wright—8.

Those Senators who voted in the negative are,

Messrs. E. Allen, Barrett, Camp, Cutts, Eaton, Field, French, Munsill, Plumb, Porter, Starr, and Stevens—12.

So the Senate resolved not to insist, and, on motion of Mr. Camp, the Senate resolved to recede from their proposed amendments.

(H. 150.) The Senate considered their amendment to the bill from the House entitled "an act to pay Chauncey Goodrich the sum therein mentioned," which had been returned non-concurred in, and, on motion, they resolved to insist upon their amendment.

Mr. E. Allen, from the Committee on Bills, reported that they had this day presented to the Governor, for his approval and signature, bills of the following titles:

(S. 68.) "An act in addition to chapter 19 of the Revised Statutes, relating to the instruction of the Deaf, and Dumb, and the Blind."

(H. 154.) "An act fixing the salary of the Librarian."

(H. 173.) "An act relating to Bank Stock."

(H. 12.) "An act in alteration of chapter 25 of the Revised Statutes."

(H. 71.) "An act directing the Treasurer to credit the town of Guildhall the sum therein mentioned."

(H. 142.) "An act in addition to chapter 80 of the Revised Statutes."

(H. 166.) "An act in amendment of chapter eighteen of the Revised Statutes."

(H. 172.) "An act relating to the collection of State Taxes."

(H. 168.) "An act relating to the State Library."

(S. 70.) "An act to pay Zadock Thompson the sum therein mentioned."

The Senate adjourned.

EVENING.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President:—The House of Representatives have passed a resolution providing for a supension of the 13th Joint Rule of the two Houses, in which they request the concurrence of the Senate.

(H. 94.) The House concur in adopting the amendments proposed by the Senate to the bill entitled "an act relating to U. S. deposit money," to the bill (H. 160,) entitled "an act in amendment of section 2 of chapter 43 of the Revised Statutes," and to the bill (H. 147,) entitled "an act in addition to chapter 29 of the Revised Statutes."

The Senate took up the following resolution from the House of Representatives:

Resolved, by the Senate and House of Representatives, That the 13th Joint Rule of the two Houses be suspended until 8 o'clock this evening.

And it was passed in concurrence.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT,—The House of Representatives have passed a bill (H. 174,) entitled "an act to pay Ferrand F. Merrill the sum therein mentioned," in which they request the concurrence of the Senate.

(H. 174.) The Senate took into consideration the bill from the House entitled "an act to pay Ferrand F. Merrill the sum therein mentioned," and it was read the first and second times and referred to the Committee on Claims.

(H. 174.) Mr. Cutts, from the Committee on Claims, to whom was referred the bill from the House entitled "an act to pay Ferrand F. Merrill the sum therein mentioned," reported the same with the opinion that the same ought to pass.

And, on motion of Mr. Camp, the rules were suspended, and the bill was read the third time and passed.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT:—The House of Representatives have resolved to insist upon their disagreement to the amendment of the Senate to the bill (H. 150) entitled "an act to pay Chauncey Goodrich the sum therein mentioned."

The House do not concur with the Senate in passing the following entitled bills:

(S. 49.) "An act in addition to chapter 24 of the Revised Statutes," and

(S. 38.) "An act to constitute a Board of Education."

Nor does the House concur in passing the resolution relating to documents referring to the early history of Vermont, and to extending the commission of Henry Stevens.

(H. 145.) The House concur with the Senate in their first, second, and third amendments to the bill entitled "an act in addition to and in alteration of an act relating to the Grand List, approved Nov. 11, 1841," and do not concur in their 4th, 5th, and 6th proposed amendments.

The Governor has announced to the House that he has, this day, approved and signed bills of the following titles:

(H. 71.) "An act directing the Treasurer to credit the town of Guildhall the sum therein mentioned."

(H. 121.) "An act in addition to chapter 77 of the Revised Statutes."

(H. 154.) "An act fixing the salary of the Librarian."

(H. 160.) "An act in amendment of section 2 of chapter 43 of the Revised Statutes."

(H. 101.) "An act relating to Banks."

(H. 173.) "An act relating to Bank Stock."

(H. 172.) "An act relating to the collection of State Taxes."

(H. 142.) "An act in addition to chapter 80 of the Revised Statutes."

(H. 2.) "An act to repeal 'an act in amendment of section 63 of chapter 28 of the Revised Statutes.'"

(H. 112.) "An act relating to freehold qualifications."
(H. 12.) "An act in alteration of chapter 25 of the Revised Statutes."
(H. 168.) "An act relating to the State Library."
(H. 166.) "An act in amendment of chapter 18 of the Revised Statutes," and
(H. 94.) "An act relating to the trustees of the United States deposit money."

Mr. E. Allen, from the Committee on Bills, reported that they had this evening submitted to the Governor, for his approval and signature, the following entitled bills:

(H. 2.) "An act to repeal an act in amendment of section 63 of chapter 28th of the Revised Statutes."
(H. 112.) "An act relating to freehold qualifications."
(H. 6.) "An act in addition to chapter 29 of the Revised Statutues."
(H. 160.) "An act in amendment of section two of chapter 43 of the Revised Statutes."
(H. 101.) "An act relating to Banks."
(H. 94.) "An act relating to the United States deposit money."
(H. 121.) "An act in addition to chapter 77 of the Revised Statutes."
(H. 147.) "An act in addition to chapter 29 of the Revised Statutes."
(S. 83.) "An act fixing the times for holding the County Court in the County of Chittenden."
(S. 27.) "An act altering the 6th and defining the 32d sections of the 45th chapter of the Revised Statutes."
(S. 81.) "An act relating to the collection of taxes."
(S. 72.) "An act in amendment of chapter 80 of the Revised Statutes."
(S. 51.) "An act to pay John S. Pettibone the sum therein mentioned."
(S. 62.) "An act relating to Public Accounts."
(H. 174.) "An act to pay Ferrand F. Merrill the sum therein mentioned."

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

Mr. President:—I am directed by His Excellency the Governor, to inform the Senate that he has approved and signed the following entitled bills:

(S. 27.) "An act altering the 6th and defining the 32d sections of the 45th chapter of the Revised Statutes."
(S. 51.) "An act to pay John S. Pettibone the sum therein mentioned."
(S. 62.) "An act relating to Public Accounts."
(S. 68.) "An act in addition to chapter 19 of the Revised Statutes, relating to the instruction of the Deaf, Dumb and Blind."
(S. 70.) "An act to pay Zadock Thompson the sum therein mentioned."
(S. 72.) "An act in amendment of chapter 80 of the Revised Statutes."
(S. 81.) "An act relating to the collection of taxes."
(S. 83.) "An act fixing the time for holding the County Court in the County of Chittenden."

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President:—The House of Representatives have passed the resolution from the Senate relating to the repudiation of State debts, with a

proposal of amendment, in which they request the concurrence of the Senate.

The House do not concur with the Senate in the proposed amendment of the resolutions relative to the pay and mileage of Members of Congress.

(H. 145.) The Senate proceeded to consider their amendments to the bill from the House entitled "an act in addition to and in alteration of an act relating to the Grand List, approved Nov. 11, 1841," which were returned from the House nonconcurred in, and

Resolved to insist upon the said amendments.

(H. 150.) The Senate proceeded to consider their amendment to the bill from the House entitled "an act to pay Chauncey Goodrich the sum therein mentioned," which was returned from the House not concurred in, and

Resolved to adhere to the said amendment.

And on motion of Mr. Cutts, the Secretary was directed to request of the House of Representatives a conference on the disagreeing votes of the two Houses on said amendment.

Mr. Smalley and Mr. Porter were appointed managers on the part of the Senate at the conference requested.

The Senate proceeded to consider their amendment to the resolution from the House relating to the pay and mileage of Members of Congress, which was returned not concurred in, and

Resolved to insist upon said amendment.

The Senate proceeded to consider the amendment of the House to their resolutions relating to the repudiation of State debts, and

Resolved not to concur therein.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President:—The House of Representatives have passed a resolution providing for a postponement of the time of payment of certain notes for money belonging to the State School Fund, drawn by agents for the University of Vermont, in which they request the concurrence of the Senate.

(H. 150.) The House adhere to their disagreement to the amendment of the Senate to the bill entitled "an act to pay Chauncey Goodrich the sum therein mentioned" agree to the conference requested by the Senate on the disagreeing vote of the two Houses thereon, and have appointed Mr. Canfield and Mr. Harrington managers at the same, on their part.

(H. 145.) The House insist on their disagreement to the amendments of the Senate to the bill entitled "an act in addition to, and in alteration of an act relating to the Grand List, approved Nov. 11, 1841"; also to the amendment of the Senate to their resolution relating to the pay and mileage of members of Congress.

The Governor has announced to the House that he has approved and signed the bills entitled

(H. 174.) "An act to pay Ferrand F. Merrill the sum therein mentioned," and

(H. 147.) "An act in addition to chapter 29 of the Revised Statutes."

The House concur with the Senate, and pass the resolutions relating to educing postages, and abridging the franking privilege.

The Senate proceeded to consider the resolution from the House providing for a postponement of the time of payment of certain notes for money belonging to the State School Fund, drawn by agents of the University of Vermont, and

Resolved that the said resolution pass.

(H. 150.) Mr. Smalley, from the Committee of conference on the part of the Senate on the disagreeing votes of the two Houses, on the bill entitled "an act to pay Chauncey Goodrich the sum therein mentioned," reported that they have met the conferees on the part of the House of Representatives, and that they have agreed to recommend to their respective Houses, that the amount to be paid by such bill be "seven hundred and seventy-five dollars," and it was

Resolved, to concur therein, and that the bill be thus amended.

(H. 145.) The Senate proceeded to consider their amendments to the bill from the House, entitled "an act in addition to, and in alteration of, an act relating to the Grand List," approved November 11, 1841," and

Resolved to adhere to their said amendments; and on motion of Mr. Cutts,

The Secretary was directed to request a conference on the disagreeing votes of the two Houses thereon; and

Mr. Cutts, Mr. Starr and Mr. Hatch were appointed managers at the same on the part of the Senate.

The Senate proceeded to consider their amendment to the resolution from the House relating to the pay and the mileage of members of Congress; and

Resolved to adhere to said amendment.

A message from the House of Representatives by Mr. Merrill, their Clerk:

Mr. President,—The House of Representatives adhere to their disagreement to the amendments of the Senate to the bill (H. 145) entitled "an act in addition to, and in alteration of, an act relating to the Grand List, approved Nov. 11, 1841," agree to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and have appointed Mr. Shafter, Mr. Vilas, and Mr. Rice, managers at the same, on their part.

(S. 73.) The House do not concur with the Senate in passing the bill entitled "an act directing the Commissioners of the School Fund, to cancel demands against the University of Vermont."

The House concur in the report of the Committee of Conference on the disagreeing votes of the two Houses, on the amendment of the Senate to the bill (H. 150) entitled "an act to pay Chauncey Goodrich the sum therein mentioned," and have therefore receded from their disagreement to the said amendment of the Senate, and agreed that the bill pass accordingly.

The House insist on their amendment to the resolutions from the Senate relating to the repudiation of State debts; and adhere to their disagreement to the amendment of the Senate to their resolution relating to the pay and mileage of members of Congress.

(H. 145.) Mr. Cutts, from the Committee of Conference, on the part of the Senate, on the disagreeing votes of the two Houses, on the bill from the House of Representatives entitled "an act in addition to, and in al-

teration of an act relating to the Grand List, approved Nov. 11, 1841," reported:

That they have met the conferees on the part of the House of Representatives on the disagreeing votes of the two Houses, on the said bill, and that they have agreed to recommend to their respective houses, the adoption of the following amendments:

From section 9, strike out the word "property," in the 2d line, and insert in lieu thereof the word "estate," and, from the same section, all after the words "legally bound to pay," and insert "nor for any debt for which he shall be holden as surety, and not as principal, except such principal has actually failed and become irresponsible, or as partner in any mercantile or other business, except from the partnership property, nor for any debt which shall appear to have been a gift from such person, nor for any note or other security, payable on some future uncertain day without interest; and as to the above mentioned particulars, the listers may interrogate such person under oath."

The Senate proceeded to consider the said report of the Committee of Conference, and

Resolved, That they concur therein, and that the said bill be amended accordingly; and that they recede from all their amendments except such as have been concurred in by the House of Representatives.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

Mr. President:—The House of Representatives have passed certain resolutions relating to a Tariff, in which they request the concurrence of the Senate.

The House adhere to their amendment to the resolutions from the Senate relating to repudiation of State debts.

(H. 145.) The House concur in the report of the Committee of Conference on the disagreeing votes of the two Houses on the bill entitled "an act in addition to, and in alteration of, an act relating to the Grand List, approved Nov. 11, 1841," and have, therefore, receded from their disagreement to the amendments of the Senate, and agreed that the bill pass in conformity with such report.

The Senate proceeded to consider the resolutions from the House of Representatives on the subject of a Tariff, and the question being taken, on motion of Mr. Butler, on each resolution, the Senate concurred with the House in passing the 1st, 2d, 3d, 4th, 5th, 6th, and 7th; and on the adoption of the 8th of said resolutions Mr. Butler demanded the yeas and nays.

The yeas and nays having been called by the Secretary, it appeared that there was not a quorum present.

Mr. Camp moved a call of the Senate.

Which was ordered.

And the roll having been called, of those Senators who had not been excused, Messrs. Aiken, Bingham, Briggs, Dillingham, Smalley, Sowles, Sprague, Stevens and Wright, were found to be absent from the Senate.

The Sergeant-at-Arms was directed to compel the attendance of the absentees.

A quorum being present,

Mr. Hubbell requested to be excused from service in the Senate from and after this day,

And the Senate refused to grant the request.

Mr. Plumb requested to be excused from service in the Senate, from and after this day,

And the Senate refused to grant the request.

On motion of Mr. French,

Ordered, That when the Senate adjourn, it adjourn to meet at half past four on Monday morning.

Mr. E. Allen, from the Committee on Bills, reported that they had submitted to the Governor, for his approval and signature, the following bills:

(H. 150.) "An act to pay Chauncey Goodrich the sum therein mentioned," and

(H. 145.) "An act in addition to, and in alteration of, an act relating to the Grand List, approved Nov. 11, 1841."

On motion,

The Senate adjourned.

MONDAY, Nov. 14, 1842.

Prayer by the Chaplain.

On motion of Mr. Camp,

The reading of the Journal of Saturday was omitted.

Mr. Butler called up the resolutions from the House of Representatives relating to a Tariff, being the unfinished business of Saturday evening.

There appearing to be not a quorum present,

Mr. Camp moved a call of the Senate.

And it was ordered.

The roll having been called, it was found that the Senators present were Messrs. E. Allen, Barrett, Bingham, Blodgett, Butler, Camp, Eaton, French, Hatch, Hubbell, Munsill and Starr—12.

There being no quorum present, no action was taken on the unfinished business.

On motion of Mr. Starr,

Ordered, That a message be sent to the Governor informing him that the Senate have completed the business of the session, on their part, and are ready to adjourn.

Mr. Starr was appointed by the Chair, to perform that service.

The Secretary was directed to inform the House of Representatives, that the Senate having on their part, completed the business of the session, are ready to adjourn without day.

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

MR. PRESIDENT:—I am directed by His Excellency the Governor to inform the Senate that he has no further communication to make to them.

A message from the House of Representatives, by Mr. Merrill, their Clerk:

MR. PRESIDENT:—The Governor has announced to the House of Representatives that he has this day approved and signed the bill (H. 145,) entitled "an act in addition to, and in alteration of 'an act relating to the Grand List,' approved Nov. 11, 1841."

I am directed to inform the Senate that the House, having on their part, completed the business of the session, are ready to adjourn without day.

Whereupon,

The President adjourned the Senate without day.

D. W. C. CLARKE,
Secretary of the Senate.

APPENDIX.

REPORT OF THE COMMITTEE ON EDUCATION, APPOINTED BY THE GOVERNOR.

THE Committee appointed by His Excellency the Governor, in conformity with a Resolution adopted by the Legislature on the 3d of Nov., 1841, "to report such plan or plans as may be most expedient and judicious to carry into practical effect the views and suggestions contained in the Report of the Committee on Education,"—beg leave to submit to the Legislature the following:—

The Report to which your committee are referred by the resolution under which they act, begins with a reference to the Executive Message, showing a very happy agreement between the Executive and the Legislature, in regard to the general principles and objects that ought to be kept in view in all public acts touching the vital interests of education; and on comparing the two documents, it is gratifying to find those principles and objects so definitely fixed and so distinctly recognized. The appointment of your committee, and the assignment of its duties, intimates clearly enough that, in the opinion of the Legislature, the time for definitive action has arrived, when we ought to enter with all proper diligence upon a course of measures which shall result in the establishment of a complete system of education for the State.

The leading principles recognized in the Report, and by the Legislature in adopting it, are,—

That the education of the people is an interest second in importance to no other which the hand of government touches, and indeed paramount to them all.

That such a system of education, in all its branches and departments, ought to be encouraged by liberal legislation, as shall render the people of Vermont not inferior to any other in intellectual and moral culture:—and

That, to accomplish this, not only ought district schools to receive the anxious care of the Legislature, but academies and colleges should also receive the patronage of the State; and that all classes of schools and seminaries should be so

provided for and regulated as to unite them in one complete system, and give them the greatest possible efficiency for the elevation of the whole people.

Yet, although these principles are so distinctly recognized as the basis of all contemplated action, your committee have felt themselves somewhat embarrassed by doubts respecting the nature and extent of the plan or plans for carrying into practical effect the views of the Legislature,—that might be expected from them. The inquiry arose whether they should attempt to prepare an outline of a complete system of education for the State, embracing all the details of pecuniary aid, of regulation, supervision, and accountability for all classes of schools requisite to a complete system; or whether the end of our appointment would not be better attained, if, leaving that in a great measure untouched, we were merely to suggest some initiatory measures,—a plan for entering rightly upon such a course of improvement as shall promise ultimately to secure all that the Report contemplates. Several considerations have led your committee to adopt the latter course.

In the first place, the Report assumes as certain the early possession of ample funds for the immediate prosecution of any judicious plan which the Legislature, in its wisdom, might adopt. It was expected that the State, before this time, would have received something from the proceeds of the public lands, and that those lands would constitute a permanent source of revenue applicable to the purposes of education. This expectation evidently had a very great influence upon the course adopted by the Legislature last year. But thus far it has been disappointed; and the history of the past year does not encourage the belief that it would be wise or safe to make it the basis of future action in regard to so vital an interest. Nor have your committee been able to devise any plan for supplying the place of the funds alluded to, which they could rely upon as likely, at present, to command general assent, and thus constitute a safe element in the system which they might recommend.

Again, it was the expectation of the Legislature that, in the course of the year, the subject would attract such attention, and be so thoroughly discussed in the newspapers, as to prepare the public mind for definitive action. For this purpose the publication of the Report co-extensively with the

laws was ordered, and discussion invited. But your committee regret to say that the subject seems not to have awakened any general and deep interest; and that, instead of the general and earnest discussion in all quarters, which its paramount importance deserves, almost nothing has been said about it in the newspapers; and only by a single writer in one of them, we believe, has anything like a general view of it —much less a thorough discussion—been attempted. These facts—to whatever cause they may be attributed,—certainly do not indicate that, as a community, we are ready to adopt, definitively and in all its extent, a plan of State education such as the Legislature contemplated as an ultimate object.

Besides, were these objections to the immediate settlement and adoption of a complete State system of education removed, your committee acknowledge that, in the few months which have elapsed since their appointment, they have not been able to satisfy themselves in regard to all the questions involved in such a system. Even in regard to common schools, several questions of very great importance still remain matters of experiment and discussion in States that have devoted to the subject far more attention than ourselves. In regard to these, their experience does not yet furnish results on which we can confidently rely in all respects; while in regard to the proper relation of schools and seminaries of different grades to each other, and of the government to all, they give us still less aid in the way either of experience or plan.

On the whole, therefore, your committee have thought that they should best meet the wishes of the Legislature by declining the attempt to report a complete system of education for the State, and limiting themselves to the humbler task of suggesting such preparatory measures as are of immediate importance. Happily these preparatory measures are very clearly indicated by our own condition, and by the experience of our sister states.

In looking at our own condition we find that, while education is acknowledged to be the paramount interest of the State, and while the amount of funds expended in it is immense, there is hardly the shadow of supervision and accountability in regard to it. A third part of all the inhabitants of the State are connected, as teachers and pupils, with our schools, every year; and that too in the very budding time of life, when every thing that touches the intellect or the af-

fections exerts a mighty energy in fixing the permanent character of the individual, and thus of the community. If the moral influence of a school is bad—if the instruction is erroneous or defective—if the school-room and its arrangement are unpleasant and unhealthy—the effect is seen in the impaired physical energies, the undeveloped and unstored minds, and the depraved morals and manners of those who attend it. Thus the very life and energy—the enjoyment, the honor, the well-being of the whole community, is at stake. There is involved, too, an immense investment of capital and annual expenditure. We have several hundred thousand dollars invested in school houses; and the schools are kept up at an expense of many hundreds of thousands annually, besides. All this expenditure the Legislature creates, sanctions, and in some measure regulates. But, as remarked before, the whole is left without supervision or accountability. We do not know how the money is expended, or with what results. We have not even inquired what the results ought to be, or made any provision for learning what they are. As a State, we provide the funds, and leave them, and almost every thing else, in the irresponsible hands of the teachers and school committees of the different districts.

No other department of the public service is willingly left thus without supervision or control. Every where else it is our place to require accountability for the use of funds and the discharge of duties. Every where else we would take due measures to know how our legislation works, and to learn whether the results that might justly be expected, are secured by our expenditures. Why, your committee would ask, should this greatest of all interests—this greatest of all expenditures, be made an exception? Why should not the whole subject be submitted to a thorough annual examination and revision, by means of a system of accountability reaching every agent, every committee, and every teacher? Why should we not annually consult these agents, and gather up and diffuse thro' the community, by means of their reports, the results of their study and experience? Is there any better way to discover any defects, any want of efficiency, any errors and abuses in the system? Is there any class of men whose suggestions for its improvement would be more valuable? Had we found ourselves, as a State, in a similar condition of irresponsibility and ignorance in regard to any other great public interest,

should we not, first and without hesitation, order a thorough investigation of the facts? Is not this the course of the Legislature in regard to banks--in regard to the State's Prison, even? And shall an interest which involves an expense in comparison with which all other public expenditures are a trifle, and which reaches with a controlling and vital influence every fire-side and every heart, be an exception?

Thus our own condition seems to your committee to indicate plainly enough, that our first great duty in the premises is, to provide for a thorough inquiry into the facts.

In regard to the experience of other States, your committee will not trespass on the patience of the Legislature by details, or even by a general view of their educational movements, and the results. The present purpose will be answered by inviting attention to a few points.

Within the last ten years, efforts to improve the character and extend the usefulness of common schools have been made in nearly every State in the Union. In twelve, at least, of the States, the superintendence of this department has been placed in the hands of commissioners or boards, who superintend its concerns, and report annually to the Legislature. The measures adopted and the results will more distinctly appear, by selecting one or two examples.

Connecticut, it is well known, has far the largest common school fund in New England, amounting to more than $2,000,000. The influence of so large a fund is deemed to have been unhappy. For nearly half a century prior to 1838, the statute book had shown little evidence of attention to this immense interest, on the part of the Legislature; and, as a general fact, the districts and the people had been equally negligent of their trust. The system had no energy, and there was no improvement. As to supervision and accountability, it seems to have been very much in the condition of our own. Among the results was, the withdrawal from the common schools of the children and the care of very many of the most worthy and intelligent citizens, and the expenditure of immense sums for private tuition in common school studies,—a startling proof, when the eye was once fixed upon it, that the system, with all its rich endowments, was very far from answering its legitimate purposes.

In 1837 a resolution was introduced into the Legislature and carried, providing for returns from all the common schools

in the State. In consequence, and with the aid of individuals interested in the object, returns were obtained and brought before the Legislature, at its next session, of such amount and character as led that body, with great unanimity, "to provide for the better supervision of common schools," by bringing their condition at all times before parents and local school officers, in the register to be kept by the teacher, and annually before the school societies in the reports of school visiters, and before the Legislature and the State in the report of a board of commissioners organized to superintend the whole matter. The leading object was, to collect and disseminate information in regard to existing defects and desirable improvements, as the only basis of sound legislative, local, or individual action on the subject. The board of commissioners thus established were authorized to employ a secretary, through whose agency the requisite information might be obtained, and the work of improvement commenced and carried on. The services of a very intelligent and able secretary were secured, and the work has been prosecuted with great energy and success for four years. The report of 1842 gives a general view of the results. Among them we notice,

1. The obtaining, in an authentic form, of accurate information respecting the practical working of the common school system throughout the State,—showing its excellencies, its imperfections, and its capabilities, and constituting a safe basis on which to found measures for improvement. This information has been diffused among the people in various ways, so as to be made available for the benefit of every town and every school.

2. The obtaining and diffusing, in like manner, of a vast amount of similar information, respecting the schools, school systems, and progress of popular education, in other States and countries; information abounding in examples, suggestions, and excitements well adapted to give impulse and direction to the spirit of improvement.

3. The creating of a demand in the public mind for higher qualifications in teachers, which has led to the establishment of a professorship in one of the colleges, and to arrangements in many of the academies, for courses of instruction especially adapted to such as wish to become common school teachers. The course of improvement in this respect is evidently but just begun.

4. The improvement of school houses. "More than nine-tenths of all the district school houses, erected prior to 1838," says the Secretary, "and which have not been since renovated, are incomplete and forlorn specimens, at best, of what such structures should be. They stand in, or directly on, the public highway, and not unfrequently in bleak and unsheltered situations, without any play-ground or appropriate out-buildings. They are unattractive without; and small, inconvenient, and uncomfortable, within. They are imperfectly supplied with the means of ventilation and uniform temperature. They are so lighted that the eye-sight of the scholar is not unfrequently endangered by the glare of the sun, and his attention distracted by every passing object. The seats are invariably too high; and the general arrangement and construction of the seats and desks are not calculated to promote the health, comfort, and successful labor of the pupils, or convenient supervision by the teacher. But, bad as most of them were originally, they are rendered worse by want of proper care, and timely and necessary repairs. Almost every old school house which I have visited, is hacked and disfigured, and in not a few instances disgraced by improper, profane, or licentious images." "Especially in winter, the children of our district schools are obliged to breathe an impure, stagnant, and oppressive atmosphere, the effect of which can be seen at any time after the school has been in service an hour, and especially in the afternoon, in the pale and wearied countenances, the languor and uneasiness of body and mind, especially in the younger children; and in the exhaustion and irritability of the teacher. The evil consequences of neglect in this particular often extend beyond the school room. The seeds of disease, especially of consumption, if not sown in such an atmosphere, are rapidly quickened and developed in the lungs of such as are constitutionally exposed to pulmonary complaints. * * * * * In more than seven-eighths of the school rooms which I have visited, the children were allowed less than one-half the quantity of pure air which is deemed absolutely necessary for the health and the cheerful and successful labor of prisoners in the State Prison at Weathersfield, or the county jails at Hartford, New Haven, and Norwich." The observations of your committee warrant the belief, that this description is too applicable to most of the school houses of Vermont. And we submit this opinion to members of the

Legislature coming from every part of the State, with the more confidence, because an inquiry into facts, prosecuted for several successive years, has brought before the public similar results in Massachusetts.

These facts were ascertained and published. The many evil influences, direct and indirect, on the health, manners, morals, and intellectual advancement of the children, which grew out of the bad structure and condition of school houses, were pointed out. Improved plans were procured and made known. And the result is, that more than fifty new school houses have been erected, and a greater number of old ones entirely remodeled on correct principles and with the latest improvements. More has been done within the last four years, in this respect, than for twenty previous years. Examples are thus set, and an impulse given, which must rapidly pervade the State with their durable and inestimable benefits.

5. Improvements, by the union of districts and the classification of schools. In illustration of this topic, your committee invite attention to the change effected in a single instance. In Middletown, "in 1838, there were four school districts, with 885 persons over four and under sixteen years of age. Of this number, 276, (less than one third,) attended the common schools. The poor, and those who felt but little interest in the education of their children, sent to them. The school houses were old and very much out of repair. There was no uniformity of books, and the teachers were constantly changing. There was no money raised for their support beyond the avails of the public funds. There were eight or nine private schools, taught by well-qualified and well paid teachers, and including the children of those parents who cared most for education. The aggregate expense for tuition alone in these schools was three times as great as the whole expense of the common schools. In 1839, an entirely new system of public schools was adopted. Four primary schools for children under nine years of age, under female teachers, and one high school with two departments—one for boys and the other for girls—with a male and female principal, were established. The books, studies, discipline and management of the schools were entrusted to a committee of eight members. In 1842, instead of less than one-third of the children between the ages of four and sixteen, as was formerly the

case—more than three-fourths of them are connected with the public schools; and among them are the children of the best educated and wealthiest families. Three of the old school houses have been repaired and fitted up, and a new one built, for the primary schools; and a large, substantial building erected for the high school. This house stands in the centre of a spacious lot, affording large and separate playgrounds for the boys and girls. The regular school meetings are now numerously attended; and not a week goes by without a visit to the schools from parents or strangers. The course of study embraces a thorough English education and a preparatory classical one. Nearly all the private schools have been given up, and a saving effected in this way to the parents, of nearly $4,000 a year. The entire expense of the public schools is nearly $2,000 less than was expended in the private schools in 1838, and the average expense per scholar is less than it was at that time. The crowning glory of the whole is, that it is a practical illustration of what can be done to make common schools good enough for the richest and cheap enough for the poorest, and thus to make the advantages of a good education common to the rich and poor."

It may be objected that this example, being from a large village, is not applicable to our towns generally; but your committee apprehend that, in principle, it is entirely so; and would remark that, in one instance, at least, as will be seen more fully hereafter, a similar course has already been adopted, with the like admirable results, among ourselves.

6. A general spirit of improvement throughout the community; so that the attendance at school meetings is more numerous—teachers are more strictly examined—schools more often and more carefully inspected—a greater uniformity and excellency of school books secured—the services of good teachers in better demand, and longer retained in the same school—the superiority of female teachers for the younger children more generally appreciated—the number and expense of private schools diminished—and a far more general disposition excited among intelligent men, to make themselves acquainted with what is done in this and other countries to give a more thorough and adequate education to every human being.

All this has been accomplished, your committee would again remark, chiefly by collecting information and diffusing it among

the people, and leaving it to exert upon intelligent and patriotic citizens its natural influence. The law has been thoroughly revised, but only so far altered as to give free action to the impulse thus called forth, and furnish it the requisite facilities for accomplishing its ends. And it has been done at a trifling expense. The whole, including the secretary's salary, and the cost of numerous and invaluable publications that have been sent into every district in the State, with all the priceless results, have drawn from the public treasury less than $6,000—less than $1,500 a year—less than the people of Vermont have paid annually for killing foxes! If the people of the State, or any part of them, have expended more in the service, it has been voluntarily and gladly done—an expenditure that was regarded as a privilege at the time, and in looking back upon which they rejoice.

Similar, in regard to the previous state of the schools, have been the results of investigations in Massachusetts, which commenced one year earlier than in Connecticut. The secretary's second report, made in 1839, states, that "the common school system of Massachusetts had fallen into a state of general unsoundness and debility; that a great majority of the school houses were not only ill-adapted to encourage mental effort, but, in many cases, were absolutely perilous to the health and symmetrical growth of the children; that the schools were under a sleepy supervision; that many of the most intelligent and wealthy citizens had become estranged from their welfare," &c. And a more careful investigation in subsequent years led to the conclusion that half the benefit of common schools was lost, and of course half the expense of them wasted, merely from the single fact of unnecessary irregularity in the attendance of the children—that there was money enough expended in the State for instruction in common school studies to keep open free schools for all the children in the State, with as good instruction as they now have, eleven months in the year; while in fact, a large part of it being expended for private schools, the public schools were kept, on an average, but seven months and ten days—that there was an immense waste of funds in employing male teachers for the younger children, who, by proper arrangement and classification, might be put under the care of female teachers for the year, with far greater advantage to themselves—and that the efficiency of the schools for good might be

increased beyond previous conception by the general introduction of the best apparatus and books, and by improved methods of teaching and discipline.

The results of laying this information before the people have been, perhaps, still more important and full of promise than in Connecticut. Normal schools for the education of teachers have been established under the patronage of the State; a liberal appropriation has been made to encourage the establishment of district libraries; more school houses were erected in 1840 than during ten years previous to the present movement; better men serve on school committees; the schools are more strictly superintended; the attendance is more regular; the supposed necessity for private schools, which were supported because the public schools were so poor, is in many places done away, and the rich avail themselves of just that instruction for their children which is given to the poor, because it is the best that can be had; and the system is so arranged that every valuable suggestion made by any committee, no matter where situated—no matter how little known—goes to increase the common light. The annual school returns show the mature opinions of some hundreds of the best minds in the Commonwealth; men of high intelligence, of enlarged views, full of philanthropy and practical experience, earnestly engaged in devising means for the improvement of common schools. Their opinions, and the facts on which they are grounded, are embodied in reports which are read in open town meeting, accepted as expressing the opinions of the assembled citizens, and then sent up to the State board, to become part of the common stock of fact and suggestion, and made available for the benefit of every district, and thus of every individual, in the Commonwealth.

It would be arrogating quite too much to the intelligence and public spirit of the people of Vermont, to suppose our schools, which are certainly not under a *more* efficient system of supervision and accountability than those of Massachusetts and Connecticut were six years ago, to be in a condition essentially better; it will be assuming enough to go on the supposition that our system is in as good and healthful a state as theirs then was. But it is now clear, on the slightest examination of the documents, that an investigation in those States was imperiously demanded. Existing evils were found to be absolutely intolerable; while to have attempted the improve-

ment of the system without a thorough inquiry into its state, would have been to legislate in the dark. And who can glance at the results without acknowledging them to have been unexpectedly great and happy, and such as would a thousand times repay any community for three or four years of the most liberal expenditure and most laborious effort? Is it a trifling matter to be able to say, of the public schools of a whole town, as we find it said by a very intelligent committee in Massachusetts, "that they afford as good means of education as money can buy?" that the "poorest citizens may feel satisfied that, if they will send their children punctually and regularly to school, from the age of four or six years to sixteen, they will enjoy as good privileges as the rich can obtain at any price, and will be as thoroughly educated, whether on the point of manners and morals, or of studies, and orderly habits, and literary progress?"

Indeed, your committee might appeal, in confirmation of these views, to the example of one of our own villages.

"Brattleboro', East Village, is comprised within one school district. It contains about 1500 inhabitants, not far from 400 of whom are from four to eighteen years of age. The average attendance at our schools is about 300. We have five public schools, four taught by females, the other by a male teacher. They continue through the year, with the exception of vacations amounting to two months or more. Children are admitted into the primary schools, those taught by females, at the age of four years, and remain there till eleven years of age, or until qualified to enter the central school, that under the charge of a male teacher. The houses of the primary schools are located in different parts of the village, to accommodate the children in every section of the district. The building for the central school is near the centre of the village, so that the children at the extremes of the district are but little more than a mile distant from it.—The children in the primary schools are required to go through a prescribed course of studies preparatory to the central school. On arriving at eleven years of age, if they can pass a satisfactory examination, they are admitted into the central school; if they cannot then pass a satisfactory examination, they remain in the primary schools till they can. All, however, on arriving at fourteen years of age, are admitted into the central school, whether they can pass a satisfactory examination or not. In the central school besides the common branches, the higher branches of an English education are taught. The prudential committee, assisted by a special committee chosen for the purpose, are authorised by the district to recommend the books to be used in the schools, to point out the course of studies to be pursued, and to classify the scholars.

"Formerly we had four public schools, taught in summer by females, in winter by males, or partly by males and partly by females. We had also about the same number of private or select schools, some under the charge of male and some under the charge of female teachers, all of which are now discontinued. There was, under that system, or rather no-system, a constant change of teachers, and of course a frequent change

of books, of the course of studies, and of modes of instruction and discipline. The interest of parents was distracted, each naturally caring more for the school where his children were instructed; invidious distinctions were created, money was wasted, no good moral influences were exerted, and little was done even for the intellect. The evils of that no-system became so glaring, that the whole village rose, almost to a man, and resolved to have a reform.

"The advantages of our present system are found to be important. It is democratic. All our children are brought together. The children of the poor and of the rich stand side by side, and merit alone decides the rank of each. The expenses are paid by the property of the district, so that the children of the poor have equal advantages of education with those of the wealthy. The influence, the talents, and the pecuniary resources of the village, are concentrated on the system of popular education; and this affords one subject of common interest for all sects, all classes, and all parties, and does not a little to smooth down the asperities of feeling, and to harmonize diversities of conflicting interests. Employing our teachers for a longer period, they become attached to us; we take a greater personal interest in them; we begin to learn their social importance in society; to regard their station as the first in the community; and their influence next to that of parents, as having the greatest bearing on the character and destiny of the young. By having a course of studies pointed out for our children, so that they can advance regularly from branch to branch, they make much more rapid progress than formerly, obtain the same amount of knowledge in a much shorter period, and acquire a far better education in the same length of time. But perhaps the greatest benefit which is produced by our school system, is the moral influence it exerts. We already perceive a decided improvement in the manners and conduct of the pupils of all our schools, much of which we attribute to the introduction of singing as a part of the daily exercises.—The instructor of the central school has taken great pains to interest his pupils in ennobling and elevating pursuits. He has turned their attention to the study of geology, mineralogy, chemistry, to the cultivation and care of ornamental trees, &c., which occupies their thoughts while out of school, and inspires them with purer and higher desires and aims. By the strict order and method introduced into the schools, by the punctuality and promptness required, and by the propriety of conduct enforced, much has already been done by all our teachers, for the promotion of good manners and good morals. It is thought by good judges that the additional value which our present system of education has given to the property of the village, is more than enough to counterbalance the additional expenses incurred."

The experience of our sister States, therefore, and experience among ourselves, so far as we have it, lead to the same conclusion at which we arrived by a glance at our own general condition, viz: that a thorough inquiry into the state of education among us ought to be the first step, as constituting the only basis of appropriate legislation for its improvement. But your committee are also bound to remark that that experience seems to them too limited, the investigations incomplete, and the example to be followed with caution and thoughtfulness, as not without its dangers.

It will have been noticed, that the whole energy of investigation and effort in our sister States has been devoted to a single department of what should constitute a state system of education, viz: to common or primary schools. Higher schools have been touched only so far as they may have an immediate and palpable bearing on these in the way of furnishing teachers trained especially for the purpose. The common school system, as it is called—as if it could be a *system*, complete in itself and independent of any higher education—has been taken up apart—severed from its legitimate connection with higher seminaries; and an attempt is made to supply its wants without bringing the latter directly into the service as part of the same whole. In legislation it is a divorce between the higher education and the lower; a divorce which, your committee would say with deference but with strong conviction, cannot be justified on any grounds of sound reason or experience, and must be dangerous to the interests of education in all its branches, and to the well-being of the community. In this respect your committee cannot express too strongly their concurrence in the opinion of the Legislature, as embodied in the last year's report of the House, that it is the true policy and duty of a State to encourage and foster, by liberal legislation, "a wise system of education *in all its branches and departments*." It should be a system; it should be one; all its parts should be intimately connected with each other by the closest ties of reciprocal influence and benefit.

It may, indeed, be urged, and with *some* truth, that a vigorous prosecution of measures for the improvement of common schools, will naturally reach the higher seminaries. Such a result is, doubtless, to a certain extent, inevitable. In a New England community the true idea of a State system will manifest itself more or less, even when the government fails to recognize its existence. The idea possesses the public mind, and *must* act upon all educational movements. You cannot touch a part of the system without reaching, for good or for evil, the whole. But it by no means follows, that the government may therefore wisely or safely limit its supervision and patronage to a single department; for it belongs to the wisdom of the Legislature to recognize the idea and to realize it, and for that end to bestow its attention and its fostering care upon the system as a whole.

Nor, were the fostering care of government to be confin-

ed to some one part of the system, would it follow that common schools must be that part. What the system most needs is, the spirit of learning kept alive and vigorous in all its departments. This spirit is strongest, and most vital and diffusive, where there is the highest culture. The higher seminaries are the head and heart of an educational system; it is from them that the warm life-blood and the informing and moving power must go out. It is well argued in the report of last year, to which your committee have so often referred, that "without some standard of education higher than that of common schools, *their* standard cannot be raised;" and it might be added, that, without a more energetic spirit of learning than they embody, that spirit cannot be elevated or even kept alive in them at all. The facts that have been adduced from the Connecticut and Massachusetts reports show abundantly how necessary it is to keep the highest intellectual culture in close contact with common schools. Whenever the intercourse between the two has been much interrupted by the establishment of private schools, the common schools have lost their interest and their life, and have failed to furnish, even to those who attend them, half their wonted benefits. It is a characteristic of modern civilization, that, by means of the press and an educational *system*, the results of the mightiest intellectual energies, and all the lights of purity and honor that beam forth from the noblest and the best, become almost at once the property and are made to contribute to the well-being of the humblest citizen. It is the business of the Legislature, so far as in its legitimate sphere it touches the subject, to foster this blessed intercommunication. To make it perfect, the whole educational system must be cared for. It is only while the system remains entire and is duly cherished in all its parts alike, that the sap of life flows freely, and the developement is every where vigorous and beautiful. The arrangement ought studiously to be made such as to secure for common schools the greatest possible influence from the higher seminaries. This was well argued by the committee last year from facts noticeable among ourselves. It is seen every where, that when the higher seminaries sustain their proper relation to common schools, the influence is salutary in the highest degree. But when false and abnormous relations exist between the two,—when they no longer constitute parts of one system, the result is disastrous. "Schools, academies, and colleges," says the President of the American

Institute of Instruction, "should form distinct parts of the same system." "If the academies are brought into competition, as it were, with the schools, the influence of the academies has been found to be altogether bad; because they draw from the common schools the children of those whose influence is every thing to them." "If, on the other hand, academies are kept within their legitimate sphere—if they admit only those who have gone through a common school course,—then the effect of academies on the schools will be good. Such an academy in the neighborhood of a common school, will elevate the standard of education in that school." This would be the natural result of the mere juxtaposition of the two.—The spirit of the higher would pervade, more or less, the lower. How much stronger and more happy might the influence be made, by establishing fully between them the relations that they ought to sustain, as parts of a system!

While your committee are fully aware, therefore, of the immense work to be done for perfecting common schools in all their arrangements and details, they would keep no less distinctly in view the means of infusing into these arrangements and details a proper spirit. Doubtless activity and interest may be awakened and kept up for a time, by confining attention and effort to common schools themselves. But legislative action should be guided by a wise regard to permanent influences and results. And therefore it is, that while the examples of our sister States ought to fix our attention and may well serve to guide us in many respects, your committee have deemed it a duty, in referring to those examples, to show wherein they seem to be imperfect, if not dangerous guides.

As the first practical measure, therefore, to be adopted for carrying into effect the views of the Legislature, your committee would recommend the appointment of a Board of Education, charged with the consideration of the whole subject; with authority to employ a secretary; and with instructions, as a first duty, to investigate and report upon the state of education among us in all its departments, the amount of money, sources, and condition, of all funds devoted to it. And further, that, to facilitate the labors of this board, proper measures be taken to procure for their use, by legislative authority, adequate returns from teachers and school committees.

Which is respectfully submitted.

For the committee, E. C. TRACY, Chairman.

Montpelier, Oct. 22, 1842.

REPORT OF THE AUDITOR IN THE TREASURY DEPARTMENT.

To his Excellency, the Governor of the State of Vermont:

The undersigned, Auditor in the Treasury, having attended to the duties assigned him by law, submits the following report of the operations of the Treasury Department, from the 14th day of October last, the day on which the present Treasurer came into that office, up to the 30th day of Sept. 1842:—

The State of Vermont in account with JOHN SPALDING, ESQUIRE, *Treasurer:*

DEBTOR.

To cash paid debenture of the General Assembly,		$15,719	95
debenture of Council of Censors,		895	20
Governor Jenison, balance of last year's salary,		150	00
Governor Paine, three fourths of present year's salary,		562	50
Judges of Supreme Court their salaries for present and part of past year,	8029 88		
deduct fees by them receiv'd in civil suits,	3130 38		
		4,899	50
Supreme and County Court orders,		26,109	07
Auditor's orders,		9,825	71
A. Sabin, Secretary of State, half year's salary,		137	50
F. F. Merrill, Clerk of the House, one half of last year and one half of this year's salary,		275	00
A. L. Brown, Assistant Clerk, half year's salary,		62	50
D. W. C. Clarke, Secretary of the Senate, half year's salary,		125	00
E. A. Stansbury, Ass't Secretary of Senate, one half of last year and one half of this year's salary,		125	00
Geo. B. Manser, Secretary of Civil and Military Affairs, one half of last year's salary,		100	00
H. Hale, Secretary of Civil and Military Affairs, one year's salary in part,		150	00
Oel Billings, Engrossing Clerk, one half of last year and one half of this year's salary,		150	00
A. W. Kinney, Librarian, his salary for present year and one half of last year,		112	50
Wm. Weston, Reporter of Decisions of Supreme Court, three quarters of a year's salary,		337	50
D. Pierce, Auditor of Accounts, one year's salary,		150	00
E. S. Camp, Sargeant-at-Arms, salary,		75	00
F. W. Hopkins, Adjutant and Inspector General, one year's salary,		250	00
John Spalding, Treasurer, and Commissioner of School Fund,		500	00

To cash paid Commissioners of deaf, dumb and blind,			2,907 98
drafts of Adjutant General, and Commd't of Reg., expense of drills, &c.			907 15
special appropriations by acts of legislature,			3,262 44
fox certificates,			1,220 25
bear do.			203 00
wolf do.			60 00
crow do.			3 20
cocoon and silk premiums,			1,891 17
town of Woodford, interest on surp. money,		56 57	
do. Concord,	do.	147 67	
do. Canaan,	do.	53 42	
do. Williston,	do.	230 31	
do. Lemington,	do.	52 42	
do. Vergennes,	do.	143 09	
do. St George,	do.	19 33	
do. Marlboro',	do.	174 46	
			877 27
A. Willard, on loan to state of $5,000,		2,000 00	
do. interest on said loan,		300 00	
			2,300 00
Bank of Burlington, on loan to the state of $5,000,		3,000 00	
do. interest on said loan,		288 25	
			3,288 25
Bank of Montpelier, on loan,		320 00	
do. interest on said loan,		70 94	
			390 94
Int. on advances, to B'k of Burlington, bal. due last year,		6 88	
do. Bank of Rutland,	do.	6 35	
do. B'k of Bellows Falls,	do.	6 00	
do. Bank of Brattleboro'	do.	8 99	
do. Bank of Caledonia,	do.	77	
			28 99
do. Bank of Caledonia, bal. due this year,			2 08
J. R. Langdon, interest on loan to the state,			300 00
Bank of St. Albans, interest on account of safety fund,			17 57
cash loaned on account of safety fund,			1,800 00
cash paid sundry towns on new distribution of surplus revenue,			34,239 07
Balance in the Treasury,			9,368 50
			$123,779 79

CREDIT.

By balance in the Treasury on the 14th Oct., 1841,			2,007 99
By cash received for taxes, principal,	55,377 60		
interest on arrearage of taxes,	1,077 09		56,454 69
received on liquidated claim against town of Montpelier,	50 00		
interest on said claim,	16 50		66 50

By cash interest on R. & M. Beach's note to State Treasurer,			26 68
received of D. Pierce, agent,			100 00
received of the several State's Attorneys,			5,711 83
of Clerks of Supreme and County courts,			431 94
principal paid on school fund notes,		10,202 07	
interest paid on the same,		3,415 00	13,617 07
for pedlers' licenses,			1,252 06
received from Banks, dividends for school fund,—Bank of St. Albans,	230 00		
Farmers' Bank,	541 37		
Bank of Orange County,	240 00		
Bank of Woodstock,	600 00		
Bank of Middlebury,	506 25		
Manchester Bank,	233 33		
Bank of Brattleboro,'	636 33		
Bank of Burlington,	360 40		
Bank of Bellows Falls,	400 00		
Farmers and Mechanics' Bank,	381 50		
Bank of Rutland,	240 00		4,339 18
received on claims of Vermont State Bank,		814 97	
interest received on same,		113 65	928 62
safety fund contributions from sundry Banks,			4,583 24
By Cash received of sundry towns, on new distribution of Surplus Revenue,			34,259 99
			$123,779 79

Which is respectfully submitted,

JOSEPH BERRY, *Auditor.*

Montpelier, September 30, 1842.

REPORT OF THE AUDITOR IN THE TREASURY ON THE SCHOOL FUND.

To his Excellency, the Governor of the State of Vermont:

The undersigned, Auditor in the Treasury, in pursuance of the requirements of the law, having examined the accounts of the Commissioner of the School Fund, during the fiscal year ending the 30th day of September, 1842, makes the following report of the "state of the fund and of all matters relating to it:"

Said fund, on the day last mentioned, amounted to the sum of		$184,942 22
Of which the sum of	$151,417 08	
was lying on loan to the State, and . .	30,509 91	
principal, and the interest thereon amounting to	3,015 23	184,942 22
was lying on loan to individuals, secured by notes of hand.		

Since my report on the same subject, of the 28th of October, 1842, made in pursuance of resolutions of the House of Representatives of the 20th and 21st of the same month, by which it appears that the sum due from the State to said fund on the 30th Sept. 1841, was $119,637 19

there has been received from all sources, since the period last mentioned, viz:

From pedlars' licenses, ...	1,454 56	
bank dividends, ...	7,855 09	
collections on account of the Vt. State Bank,	814 97	
of interest from the same source,	113 65	
on principal of notes of individuals, . . .	10,202 07	
of interest on said notes,	3,523 21	
for interest charged State on above loans, . .	7,816 34	151,417 08

All which is respectfully submitted,

JOSEPH BERRY, *Auditor.*

Montpelier, Sept. 30, 1842.

REPORT OF THE TREASURER UPON THE STATE OF THE SAFETY FUND.

TREASURER'S OFFICE,
MONTPELIER, Oct. 22d, 1842.

SIR,—I herewith transmit a statement showing the amount and condition of the Safety Fund, on the 30th September, A. D. 1842.

I have the honor to be, sir,
very respectfully, your obd't serv't.
JOHN SPALDING, *Treas.*

TO HIS EXCELLENCY THE GOVERNOR.

There has been contributed from the several Safety Fund Banks to the Safety Fund the sum of		$26,730 07
There is loaned to the state of Vermont from this Fund,	$21,860 64	
To various individuals the sum of	4,869 43	
	$26,730 07	

The contributions have been from the following banks, viz.:

Bank of Bellows Falls,	$2,250	
Middlebury,	2,700	
Essex County,	825	
Woodstock,	2,250	
Orleans,	1,350	
Newbury,	2,250	
Manchester,	3,150	
Farmers' Bank,	2,700	
Farmers' and Mechanics' Bank,	4,725	
Bank of Brattleboro'	2,700	
St. Albans,	667 81	
Vergennes,	450	
Rutland,	604 26	
Poultney,	108	
		$26,730 07

I notice in the Report of the Treasurer, on the 13th of Oct. 1841, he reports in the Safety Fund that the interest is included. By law, the interest is due yearly to the banks contributing the fund, and should be paid to them, after deducting the expenses of the Bank Commissioner.

The interest which has accrued to the Safety Fund Banks, computed

to the first day of October, 1842, amounts to .		$8,199 38
The charges against this interest on the 1st October amounted to	$1,264 00	
The interest on those charges, . .	450 30	1,714 30
		$6,485 08
On the 30th Sept. 1841, there was paid to the Bank of Orleans as interest, . .	$250 00	
Interest on same to Oct. 1, 1842, . .	15 00	
Oct. 25th, 1841, there was paid to the Bank of St. Albans as interest, . . .	17 57	
Interest on same to Oct. 1, 1842, . .	1 03	283 60
Leaving a balance of interest unpaid on the 1st day of Oct. 1842,		$6,201 48

JOHN SPALDING, *Treasurer.*

October 22d, 1842.

AUDITOR'S ABSTRACT.

An abstract of all orders drawn on the Treasurer of the State of Vermont, since the 5th day of October, 1841, to the 30th day of September, 1842, by the Auditor of Accounts.

DATE.	NO	CLAIMANTS.	AMOUNT.
Oct. 14, 1841	1	Gates Perry jr., sh'ff, for distributing packages,	$24 56
	2	John Colby, Com. deaf, dumb and blind, for paid cash &c. in that office, ...	80 69
	3	Martin Armstrong, sh'ff, for distributing packages, ...	18 00
15,	4	P. S. Camp, jailor, for boarding State prisoners,	6 44
	5	Town of Panton, for error in State tax, .	6 30
	6	George A. Allen, sh'ff, for distributing packages,	20 00
	7	Merrill Williams, sh'ff, for like services, .	24 00
	8	Sundry persons, for services at court martial,	52 50
	9	Gary Whitney, sh'ff, for distributing packages,	12 00
	10	Henry Stowell, Com. deaf, dumb and blind, for services in that office, ...	16 19
16,	11	D. R. Bogue, sh'ff, for boarding State prisoners,	133 58
18,	12	Robert Pierpoint, Bank Com'r, for services in that office, ...	48 00
	13	Same, for settling Sup. State Prison accounts,	13 86
	14	Town of West Fairlee, for error in State tax,	13 48
19,	15	Adnah Smith, sh'ff, for distributing packages,	20 00
	16	D. R. Bogue, sh'ff, for the like services, .	5 00
20,	17	Gary Whitney, sh'ff, for boarding State prisoners,	2 00
21,	18	Riverius Camp, late sh'ff, for distributing packages,	5 00
	19	S. H. Jenison, late Governor, for paid postage bill, official, ...	37 76
	20	Town of Burke, for error in State tax, .	19 74
	21	Asa Story, late sh'ff, for distributing packages,	10 00
22,	22	Town of Burlington, for error in State tax,	36 56
	23	Same, for paid boarding State paupers, .	115 09
	24	Town of Concord, for error in State tax, .	13 03
	25	Town of Maidstone, for error in State tax, .	1 68
23,	26	Marshall Miller, clerk &c., for canvassing votes for Council of Censors, ...	26 90
	27	Greenleaf Webb, sh'ff, for distributing packages,	16 00
	28	F. F. Merrill, Clerk House, for stationery and paid probate fees, &c., ...	10 88
25,	29	James Morse, colonel, for collecting State arms,	8 00
26,	30	Erastus S. Camp, Serg't at Arms, for paid cleansing State House, ...	14 00
29,	31	Same, for paid cleansing windows, . .	16 50
30,	32	Chauncey Goodrich, for distributing acts of 1840 to sheriffs, ...	60 00

DATE.	NO	CLAIMANTS.	AMOUNT.
Nov. 1, 1841	34	Henry F. Janes, late Treasurer, for paid bill postage, official,	$53 77
	33	Joseph Berry, Auditor, (Treasury,) for time &c. in that office,	77 49
	35	D. Rich, Q. M. General, for time and cash paid military service,	1,068 62
	34	E. P. Walton & Sons, for State Printing,	195 40
3,	34	Charles H. Severance, for like service,	1 50
	35	Allen Wardner, for attending to labor of S. P. convicts,	12 74
	36	G. H. Smith, sh'ff, for distributing packages,	20 00
	37	Flagg & Abbot, for stone post at State House,	6 00
	38	Wm. Barron, late sh'ff, for distributing packages,	20 00
4,	39	Merritt Clark, Inspector &c. (military,) for paid State printing,	7 00
5,	40	John Moulton, for services before committee of House,	16 50
	41	John T. Freeman for like service,	18 30
	42	Geo. C. Pratt, for serving subpœna on witness,	6 95
	43	Wm. E. Trask, for service as witness,	18 30
	44	George Smith for like service,	18 30
	45	Wm. Hutchinson, for like service,	18 30
	46	Samuel I. Russell, for like service,	18 30
	47	John Currier, sh'ff, for boarding State prisoners,	115 73
	48	Anson Davis, jailor, for boarding State prisoner,	89 76
	49	Urias Daman, for services as witness before committee,	18 30
6,	50	Rufus L. Hartey, for the like service,	18 90
8,	51	Isaiah Silver, sh'ff, for distributing packages,	20 00
	52	L. Sargeant, Com. deaf, dumb and blind, for services in that office,	77 26
9,	53	E. S. Camp, Serg't-at-Arms, for services in that office,	147 74
	54	Henry F. Janes, for time settling with L. Egerton,	12 83
	55	E. P. Walton & Sons, for State printing and stationery,	486 08
	56	J. T. Marston, for newspapers for legislature,	19 70
	57	C. L. Knapp, Sec. State, for postage &c.,	13 98
10,	58	E S. Camp, Serg't-at-Arms, for services in that office,	147 23
	59	Same, for like services,	115 64
	60	E. P. Walton & Sons, for stationery, printing, &c.	399 47
11,	61	E. S. Camp, Serg't-at-arms. for paid attendants on State House,	279 00
	62	C. L. Knapp, for newspapers for legislature,	3 20
14,	63	Esec Atwood, jailor, for clothing State prisoners,	20 30
	64	Same, for boarding State prisoners,	73 76
30,	65	Anson Davis, jailor, for boarding State prisoners,	81 82
Dec. 5,	66	L. S. Noble, jailor, for like service,	74 24
6,	67	John C. Haswell, for State printing,	22 76
	68	John Currier, sh'ff, for boarding State prisoners,	17 06
9,	69	Robinson & Southmade, for State printing,	15 00

DATE.	NO	CLAIMANTS.	AMOUNT.
Dec. 10, 1841	70	C. L. Knapp, for State printing,	43 26
13,	71	George W. Nichols, for like services,	22 76
18,	72	A. G. Chadwick, for like services,	15 00
15,	73	E. Davis, for like services,	15 00
	74	E. B. Whitney, for like services,	22 76
	75	Ira Parsons, sh'ff, for boarding State prisoners,	69 24
24,	76	David Low, jailor, for like services,	68 54
23,	77	E. S. Camp, Serg't-at-Arms, for services and cash paid in that office,	39 13
24,	78	Town of Manchester, for error in State tax,	67 89
28,	79	Tracy & Severance, for State printing,	14 91
31,	80	O. S. Murray, for like services,	15 00
	81	H. B. Stacy, for like services,	15 00
	82	E. W. Blaisdell, for like services,	15 00
Jan. 3, 1842	83	Zerah Lull, jailor, for boarding State prisoners,	43 27
10,	84	Wm. E. Ryther, for State printing,	15 00
	85	Nathaniel Daggett jr., for like services,	65 89
11,	86	Chauncey Goodrich, for stationery and paid engraving State seal,	180 85
	87	Haskell & Palmer, for State printing,	16 00
12,	88	J. Poland, for like services,	15 00
17,	89	White & Gurney, for like services,	32 31
	90	J. Dorrance, jailor, for boarding State prisoners,	124 23
22,	91	E. P. Walton & Sons, for State printing,	423 73
	92	J. M. Sears, for like services,	15 00
26,	93	Town of Bridgewater, for error in State tax,	5 09
Feb. 3,	94	Esec Atwood, jailor, for boarding State prisoners,	63 17
7,	95	Bishop & Winslow, for State printing,	15 00
26,	96	Wm. E. Ryther, for like services,	7 76
28,	97	Chauncey Goodrich for like services,	7 40
March 2,	98	Haskell & Palmer, for like services,	14 00
5,	99	C. G. Eastman, for like services,	15 00
7,	100	Charles Howes, jailor, for boarding State prisoners,	58 18
12,	101	Wm. T. Burnham, Serg't-at-Arms, for paid for wood for State House,	18 34
14,	102	E. P. Walton & Sons, for State printing,	154 40
18,	103	Wm. T. Burnham, Serg't-at arms, for cash paid for wood &c.,	46 50
19,	104	N. H. Eaton, for State printing,	15 00
	105	E. Davis, for like service,	7 76
	106	Asa Story, for clothing State prisoners,	12 43
	107	Ira Parsons, sh'ff, for boarding State prisoners,	33 57
22,	108	Chauncey Goodrich, for State printing,	261 77
29,	109	Esec Atwood, for boarding State prisoners,	19 50
	110	C. Goodrich, for paid for notarial seal &c.,	54 50
April 5,	111	Zerah Lull, jailor, for boarding State prisoners,	290 40
	112	E. P. Walton & Sons, for State printing,	1,049 47
12,	113	Zerah Lull, jailor, for boarding State prisoners,	41 82
May 6,	114	D. R. Bogue, sh'ff, for like service,	123 99
	115	Jeptha Bradley, for State printing,	15 00
	116	J. W. Moore, for like service,	15 00

DATE.	NO	CLAIMANTS.	AMOUNT.
May 18, 1842	117	Town of Woodstock, for error in State tax,	$33 57
23,	118	Francis Slason, Director S. Prison, for time and expense in that service,	68 33
June 2,	119	Charles Howes, jailor, for boarding State prisoners,	49 95
20,	120	O. P. Chandler, Com. deaf, dumb and blind, for services in that office,	43 34
23,	121	David Low, jailor, for boarding State prisoners,	286 50
	122	G. H. Smith, sh'ff, for like services,	27 85
24,	123	Joel Lull, sh'ff, for distributing packages,	24 00
July 1,	124	J. Dorrance, jailor, for boarding State prisoners,	32 90
	125	Zerah Lull, jailor, for like service,	102 79
11,	126	Nathaniel Daggett jr., for like service,	182 65
14	127	Esec Atwood, jailor, for like service,	10 00
Aug. 8,	128	C. L. Knapp, Sec. of State, for State printing,	11 39
	129	Jacob Egerton, for distributing packages,	31 25
Sept. 1,	130	E. P. Walton & Sons, for State printing, binding books, &c.,	71 55
10,	131	State Treasurer, for paid for combination lock for treasury,	100 00
	132	Ch's Howes, jailor, for boarding State prisoners,	33 65
16,	133	David Love, jailor, for like services,	66 85
			$9,810 39

AUDITOR'S OFFICE, Woodstock, Sept. 30, 1842.

I hereby certify, that the preceding is a correct abstract of all orders drawn on the Treasury of the State of Vermont, on accounts by me allowed, as Auditor of Accounts, since the 5th day of October, 1841, to this 30th day of September, 1842, amounting to the sum of nine thousand eight hundred and ten dollars and thirty-nine cents. $9,810 39.

DAVID PIERCE, *Auditor of Accounts.*

HIS EXCELLENCY, CHARLES PAINE,
Governor of the State of Vermont.

REPORT OF THE BANK COMMISSIONER.

To his Excellency, Charles Paine, Governor of the State of Vermont:

The undersigned, Bank Commissioner of the State of Vermont, respectfully reports that he has inspected the Banks of this state, subject to the provisions of the act regulating the chartering of banks, and finds the condition of those banks to be as follows.

BANK OF MIDDLEBURY.

RESOURCES.	Notes discounted,	$75,857 60
	Due on book and from other Vermont banks,	1,584 68
	Specie,	3,585 34
	Bills of other banks,	2,917 00
	Safety fund,	2,700 00
	Deposits in Boston and Troy,	41,654 01
		$128,298 63
LIABILITIES.	Capital Stock,	$60,000 00
	Bills in circulation and certificates,	54,633 00
	Unclaimed dividends,	245 95
	Due depositors, and Bank of Burlington,	8,199 04
Sept. 20.		$123,077 99

BANK OF VERGENNES.

RESOURCES.	Notes and bills discounted,	$166,992 35
	Real estate,	2,500 00
	Foreign bank stock,	157 15
	Safety fund,	450 00
	Due from other banks,	1,070 60
	Deposits in New York and Boston,	12,721 49
	Specie,	7,740 39
	Bills of other banks,	3,747 00
		$195,378 98
LIABILITIES.	Capital stock,	$100,000 00
	Bills in circulation,	57,891 00
	Dividends unpaid,	558 70
	Due to other banks,	5,438 12
	Unpaid drafts,	5,575 44
	Deposits,	22,056 70
		$191,519 96

FARMERS AND MECHANICS BANK.

RESOURCES.	Notes discounted,	$101,871 98
	Domestic bills discounted,	43,855 57
	Deposits in Boston and other banks,	14,911 37
	Specie,	6,364 18
	Bills of other banks,	7,069 43
	Safety fund,	2,993 75
	Real estate,	8,000 00
		$185,066 28
LIABILITIES.	Capital stock,	$105,000 00
	Bills in circulation,	36,404 00
	Dividends unpaid,	209 40
	Due depositors and on book,	43,712 54
Sept. 24.		$185,325 94

BANK OF ST. ALBANS.

RESOURCES.	Notes discounted,	$93,644 56
	Specie,	4.643 18
	Bills of other banks,	4,645 00
	Suspended debt, exceeding deposits,	9,410 36
	Due from other banks,	3,762 56
	Banking house,	1,400 00
		$117,505 66
LIABILITIES.	Capital stock,	$50,000 00
	Bills in circulation,	44,036 77
	Dividends unpaid,	2,078 00
	Deposits,	8,029 57
	Due to other banks,	8,534 39
Sept. 27.		$112,678 73

THE FARMERS' BANK.

RESOURCES.	Bills discounted,	$72,776 69
	Specie,	5,961 70
	Bills of other banks,	8,234 68
	Due from other banks,	53 63
	Deposits in Troy and Boston,	27,427 14
	Banking house,	2,492 92
		$116,946 76
LIABILITIES.	Capital stock,	$60,000 00
	Bills in circulation,	53,870 00
	Dividends unpaid,	63 30
	Deposits and due other banks,	777 53
Sept. 28.		$114,710 83

BANK OF POULTNEY.

RESOURCES.	Notes discounted,	$55,094 26
	Specie,	4,177 80
	Bills of other banks,	830 00
	Due from other banks,	2,303 37
	Deposits in Boston and Troy,	18,940 16
	Safety fund,	108 00
		$81,453 59
LIABILITIES.	Capital stock,	$50,000 00
	Bills in circulation,	28,534 00
	Deposits and unpaid dividends,	1,800 20
Oct. 1.		$80,334 20

BANK OF RUTLAND.

RESOURCES.	Notes discounted,	$145,435 52
	Specie,	9,075 80
	Bills of other banks,	2,801 00

	Due from other Vermont banks,	3,962 08
	Deposits in Boston and Troy,	22,288 63
	Safety fund,	604 26
	Banking house,	1,050 00
		$185,217 29
LIABILITIES.	Capital stock,	$100,000 00
	Circulation,	67,428 00
	Deposits,	11,937 70
	Unpaid dividends,	882 00
Oct. 1.		$180,247 70

BANK OF MANCHESTER.

RESOURCES.	Notes discounted,	$72,987 51
	Due on book,	5,350 95
	Specie,	2,136 51
	Bills of other banks,	2,210 00
	Deposits in New York, Troy and Boston,	5,576 21
	Real Estate,	11,172 59
		$99,433 77
LIABILITIES.	Capital stock,	70,000 00
	Bills in circulation,	29,188 00
	Unpaid dividends,	143 85
		$99,331 85

BANK OF BRATTLEBORO'.

RESOURCES.	Notes discounted,	$126,320 52
	Specie,	6,062 01
	Bills of other banks,	4,118 00
	Deposits in Boston, New York, and Troy, &c.	25,886 38
	Real estate,	2,702 98
	Bank stock,	3,253 99
	Safety fund,	2,700 00
		$171,043 88
LIABILITIES.	Capital stock,	$75,000 00
	Bills in circulation,	80,834 00
	Deposits,	9,588 00
	Due other banks,	456 85
Oct. 8.		$165,878 85

BANK OF BELLOWS FALLS.

RESOURCES.	Notes and bills discounted,	$96,389 17
	Due on book,	4,060 38
	Bank stock,	250 00
	Specie,	6,007 85
	Bills of other banks,	870 00
	Deposits in Boston,	20,491 72
	Real estate,	1,200 00
		$129,[illegible]

LIABILITIES.	Capital stock,	$50,000 00
	Bills in circulation,	55,330 00
	Deposits and unpaid dividends,	15,632 14
		$120,962 14

BANK OF WOODSTOCK.

RESOURCES.	Notes discounted,	$109,704 00
	Due on book,	530 27
	Specie,	3,748 78
	Bills of other banks, and State orders,	7,636 93
	Banking house,	3,000 00
		$124,619 98
LIABILITIES.	Capital stock,	$50,000 00
	Bills in circulation,	54,979 75
	Deposits,	15,460 18
		$120,439 93

BANK OF NEWBURY.

RESOURCES.	Bills discounted,	$79,024 72
	Due on book,	10,168 16
	Suspended debt, exceeding assessment,	14,277 30
	Specie,	3,697 05
	Bills of other banks,	607 00
	Deposits in Boston,	4,981 52
	Real estate,	1,927 94
		$114,683 69
LIABILITIES,	Capital stock,	$50,000 00
	Bills in circulation,	35,290 00
	Deposits,	12,641 68
Oct. 12.		$97,931 68

BANK OF CALEDONIA.

RESOURCES.	Bills discounted,	$68,401 55
	Due on book,	8,076 28
	Specie,	4,900 02
	Bills of other banks,	8,600 89
	Deposits in Boston,	5,312 13
	Real estate,	2,000 00
		$97,290 87
LIABILITIES.	Capital stock,	$50,000 00
	Bills in circulation and drafts,	42,791 74
	Unpaid dividends,	102 75
	Deposits,	1,517 12
		$94,411 61

BANK OF ORLEANS.

RESOURCES.	Notes discounted,	$43,382 00
	Specie,	3,320 00
	Bills of other banks,	615 00
	Deposites in Boston,	3,200 00
		$50,517 00
LIABILITIES.	Capital Stock,	$30,000 00
	Bills in circulation,	19,996 00
		$49,996 00

BANK OF MONTPELIER.

RESOURCES.	Notes discounted,	$97,485 00
	Specie,	2,317 97
	Bills of other banks and Treasury notes,	18,415 00
	Due from attornies, &c.,	4,473 44
	Deposits in Boston and Troy,	10,374 00
	Banking house,	2,600 00
		$135,665 41
LIABILITIES.	Capital stock,	$37,500 00
	Bills in circulation,	73,000 00
	Deposits,	21,681 79
	Unpaid dividends,	79 00
Oct. 8.		$132,260 79

The Bank of Newbury in 1838, in consequence of the failure of their agents in Boston, sustained a loss, amounting to about $28,000, and the directors have not declared a dividend of profits since, and the income of the bank, after deducting current expenses, has not yet been sufficient to repay the loss then sustained. The state's treasurer, during the last year, called on the bank for the payment of ten per cent. of the profits of the bank accruing since the loss above stated, without regard to such loss. The bank declined paying, on the ground that the ten per cent. tax was a tax on profits, and as the bank had not made any profits, the directors were not under obligation to declare a dividend, or pay any portion of the income of the bank to the state's treasury. The treasurer represented the case to the undersigned, with a request that proceedings might be instituted against the bank for not making the payment required; but the undersigned, considering that the directors of the bank had pursued a correct course in not declaring a dividend under the circumstances, declined instituting proceedings against the bank, without the direction of the legislature.

In compliance with the resolution of the last session, the undersigned made immediate application to the court of chancery for the county of Bennington, for the appointment of necessary receivers for the Bank of Bennington, and the court appointed Nathan H. Bottum and Henry Robinson, receivers, agreeably to the 79th chapter of the Revized Statutes, who forthwith took possession of the effects of said bank.

All which is respectfully submitted.

R. PIERPOINT, Bank Commissioner.

REPORT OF THE BANK INSPECTOR.

To his excellency the Governor :

The undersigned, having been appointed a committee to examine and report the situation of the several banks in the state, not subject to the provisions of the safety fund act, makes the following report of the condition of such banks.

BANK OF BURLINGTON.

LIABILITIES.	Capital stock,	$150,000 00
	Bills in circulation,	72,839 00
	Dividends unpaid	770 16
	Deposits,	25,263 18
		$248,871 34
RESOURCES.	Bills and notes discounted,	$207,738 33
	Due from State,	2,000 00
	Specie,	15,534 20
	Bills of other banks,	17,277 00
	Deposits in Boston, New York and Troy,	20,994 98
		$263,544 51

BANK OF ORANGE COUNTY.

LIABILITIES.	Capital stock,	$70,000 00
	Bills in circulation,	41,248 00
	Deposits and due other banks,	8,181 97
		$119,429 97
RESOURCES.	Notes discounted,	$98,415 69
	Suspended debt,	18,782 81
	Specie, bills of other banks, and deposits in Boston,	13,997 76
	Real estate,	2,000 00
		$133,196 26

R. PIERPOINT.

Oct. 19, 1842.

AUDITOR'S REPORT ON THE SUBJECT OF PUBLIC ACCOUNTS, ACCOMPANYING THE MESSAGE OF THE GOVERNOR.

To the General Assembly of the State of Vermont now sitting :

By a concurrent resolution of the Honorable the Senate and House of Representatives, passed on the 10th of November, 1841, "The Auditor of Accounts" was, among other duties, by that resolution assigned him, instructed to report at the then next session of the Legislature, "what modification of the law is necessary to secure a more thorough accountability, by every officer or citizen, being in the receipt of money, belonging, in any wise, to the State of Vermont."

A law, which shall secure a faithful application of all the public funds, will owe its principal efficiency to some provision, which shall frequently bring to the notice of government, the entire sources and disbursement of the public revenue. Civil laws will never execute themselves, but always require the pervading energy, which enacted them, to secure their desired results. Abuses in the laws and in their administration will remain unredressed, till these abuses are brought home to the knowledge of those, whose province it is to correct them. Omniscience and omnipotence are attributes of a perfect Legislator, and wherever a government is fully advised of all its rights as a government, and of all the duties of the citizens, it need not be feared, that the rights of the one will not be secured, or the duties of the other enforced. It is not less promotive of official integrity, than conservative of the public funds, that every officer of the government should feel a legal *necessity* to be honest. The collection, keeping and disbursement of the public treasure, require integrity, and perseverance, united to a competent knowledge of the laws relating to finance. All revenue and its disbursement should be regulated by law, and the subject requires the constant and vigilant supervision of the legislature. But the brief

term of the session of our General Assembly, and the frequent changes of the constituent members of that body, render it difficult for the legislature to exercise that vigilant supervision of the public treasury, which its importance demands. Should an individual member project a plan to improve the law relating to finance, the session is too short to enable him to perfect his designs. In the mean time the uncertainty of his re-election, together with the pressing nature of private avocations, crowd the consideration of the public interest from his thoughts, and a purpose, originating in a pure regard to the general interest, is stifled by the clamorous calls of private cares.

The laws passed in 1797, for the regulation of the finances of the state, were subject to many imperfections, as their frequent amendments have fully shown. Those laws, in their most approved amended form, have never been sufficient to secure the treasury against the possible perversion of its funds. What member of the General Assembly, since that period, has known sufficient in relation to our laws of finance and of their execution, to enable him to pronounce with certainty, that the funds of the state were duly collected and honestly disbursed? Would it be presuming too much to affirm, that none could say it, aside from a conviction of the integrity of our public functionaries? As a general rule, the presumption should be, that the public funds are wasted, where the contrary cannot be shown.

Since the period above alluded to, we have had no system of finance which has brought all the different and scattered fragments of evidence of public claims or property to a focus, where the eye of the legislature could rest upon all the sources of revenue at a glance, and where any extravagant or disproportionate allowance could at once be detected, a nd all wasting of the public funds prevented. It may be, that the public funds, at *times*, have been faithfully collected and disbursed; our laws of finance should be such as to enable the proper department to *prove* that the system is *always* thus administered.

In pursuance and discharge of the duty assigned him, the Auditor would advert to some defects in our laws of finance at present in force; and the modifications, necessary to secure the desired accountability, and would respectfully interpose such remarks, as the subject may appear to him to re-

quire. A narrow and literal construction of the resolution might seem to restrict inquiry to simple accounting; while a more liberal, and obviously a more rational interpretation, would permit and require an investigation of every case of unjust acquisition and detention of the public funds; for all funds obtained or detained by fraud, covin or deceit, should be accounted for.

For every practical purpose, whatever the law permits, in the appropriation of the public funds to private use, it commands. It will be therefore sufficient for our present purpose, to notice some of the abuses, which the law now in force permits, or does not prevent. Such an investigation will furnish a practical commentary on the law, and be a safe guide, to the remedies, which the defects of the present law require.

It has been the policy of the government to leave open numerous avenues to the public treasury. As the law now is, a claimant, wishing to obtain an order on the Treasurer for an alledged claim on the state, may apply to the County Court; to the Supreme Court; to the Quarter Master General; to the Auditor; to the committee on Debentures, and to the General Assembly; nor are these all the avenues open to the cupidity of claimants on the public treasury. If the claimant be denied at one department, he may resort to another. If the claim be allowed in part at one department, he may accept the allowance *pro tanto*, and present the claim anew, at another department, to be again allowed, and thus abstract from the public treasury an amount commensurate, with his own views of the justice of his claim, or the demands of his avarice.

If a claim have been allowed by the legislature, in a spirit of compromise, with an express proviso, that it shall be a final settlement of the claim, the claimant has but to wait till the transaction is forgotten, or other men come into power, to present it again for a second or third allowance, as the conscience of the claimant will allow.

The laws now in force do not prevent such practices, but all these abuses can be, and have been practiced under the existing laws, and those in force at the time of the revision. It is not less true of the Treasury, than of a fortress, that the fewer the avenues to it, the more easily will it be defended.

To illustrate the operation of the law in practice, the fol-

lowing facts may be stated, as having come under the immediate observation of the undersigned, or so far within his knowledge as to leave no doubt of their truth.

A claim was presented to the proper department for allowance; it was disallowed, with the offer to refer it to the General Assembly, for their consideration. The reference was declined, and the claim withdrawn. It was subsequently presented at another department and allowed. Had the claim been referred to the General Assembly, the reasons for the disallowance might have been considered. In such a state of things, it is apparent, that a claimant has much the advantage of the government, for though many times defeated, he may ultimately obtain, while no judgment except the last, will avail to protect the government against a subsequent allowance.

Another claim was presented for allowance; it was considered and allowed at such a sum as was supposed to be just, and no appeal was taken. The claimant's order was paid at the Treasury, and in the mean time, the same claim was again presented at another department, the same reasons urged for allowance, as had been before ussd, and the claim allowed at a much larger sum, than the first allowance.

Claims against the state have been frequently allowed by the General Assembly, with an express proviso, that the sum allowed should be in full satisfaction for all demand on the government for the alledged cause; the condition has been accepted, the money received, aud still in a very brief period, the claim has been again presented and allowed, and in some instances at a greater sum.

In other cases, dishonest attempts to obtain more than one compensation for property, taken for public use, or for services rendered the state, have been defeated, by the memory of an aged member of the Legislature, assisted or refreshed by a recurrence to a musty journal of that body.

Another practice has obtained of preferring the same claim before the General Assembly from year to year; and though the subject has been, upon as full and impartial examination, as any legislative proceeding can be, finally decided to be without merits, still the claimant has contined to press his demand, to the great delay and hindrance of the public business, and probably to his own damage, until some committee has

reported to allow it, as a mere expedient to dispose of a troublesome subject, rather than from its justice.

Between individual litigants, a judgment recovered in a court of justice, or before arbitrators, or an accord and satisfaction, is to the parties "an end of all strife"; but not so between claimants and the government. In this latter case, the demand will be urged from year to year, during all which time the reasons *against* allowance are fast fading away, while the constant vigilance of the claimant is accumulating reasons *for* allowance, which did not exist, when first presented. Could a board be constituted, clothed with legal and equitable authority, finally to dispose of all such claims upon the government, it would seem to be promotive of justice, and prevent the loss of much valuable time of the Legislature. There would seem to be no good reason, why a claimant upon the government should be permitted perpetually to urge his claim against it, after such investigation and judgment had, as would be final and conclusive between individuals. If a claim has been fairly *adjusted* and *paid*, all will allow, that the Legislature should be exempted from further attention to the subject. So, too, if on an impartial investigation it be found to be *destitute of merits*. If a claimant will continue to petition, the petition may be received, and these facts appearing, the Legislature in justice should be discharged from further attention to the subject.

The establishment of such a board would not conflict at all with the right of petition, and would further the ends of justice. Many petitions for remuneration from the public Treasury require judicial investigation, and whenever the judicial functions of government can be exercised, separate and distinct from the Legislature, it is desirable, that it be so done. A claim may be presumed to be as dispassionately considered by a board constituted expressly to investigate public claims, as by a committee of the Legislature. If it be urged, that a government should be liberal to claimants, upon its bounty or its justice, it should not be forgotten, that every cent allowed beyond strict justice, is so much wrongfully wrested from a taxpaying community; and that liberality on the one hand, becomes extortion on the other. In such case the inquiry is one, which may be much better settled by the cool and calm deliberations of a judicial body, than by a committee of the Legislature, subjected to the influences of party, the press of

public business and other causes, but illy calculated to aid the mind, in coming to a just decision on an important question.

Another defect in the law at present in force, is the absence of an uniform rule of allowance, for services of the like character. The judges of the county courts are authorized to "allow and tax any reasonable sum for cost and expenses of arresting, pursuing, detaining, and transport any person, who have been convicted of any crime in this state." Also to allow sheriffs and constables accounts, for arresting and transporting prisoners, apprehended on warrant charged with some crime. In these cases different rules of allowance have been adopted in different counties. In some, a strict construction of the words "costs and expenses" has been supposed to comport best with the intention of the Legislature, and nothing has been allowed the person apprehending the felon, for his time; while in other counties allowance has extended to cover not only "cost and expenses," but the time of the pursuer also. A charge for apprehending a prisoner escaping from jail, through the insufficiency of the jail or the carelessness of the jailor, has been allowed and paid from the State Treasury. In neither contingency should the payment have been made from the State Treasury. The expenses of apprehending, detaining, and transporting persons apprehended on criminal warrants, has greatly augmented within a few years. New items of charge have crept in; the prisoner has, from one pretext or another been in the custody of keepers, for several days in succession, and bills have been presented and paid, containing charges for boarding prisoner, for keepers, for tavern expenses, &c. greatly exceeding former allowances.

That abuses in the allowance of claims, growing out of the administration of our criminal jurisprudence, have crept in, may be inferred from the following facts. The amount paid court orders for the year, ending November 1838, was $16,-298 33. The amount paid, from November 1838, to September 30th, 1839, was $20,405 94. The amount paid from September 30th, 1839, to September 30th, 1840, was $26,020 24; and the amount paid for the year ending Sept. 30, 1841, was $31,726 63.

The examination of the Treasurer's books, thus presents the striking fact, of a pretty uniform increase of payments made on court orders for the above named five years. The

balance paid court orders during the year ending November 1838, over and above the amount paid into the Treasury by

State's Attorneys was	$12,424 26
Balance for 1839 was	15,079 86
Balance for 1840 "	24,215 97
And balance for 1841 was	27,368 43

Thus while there has been a very considerable increase of expenditure in the payment of court orders, there is witnessed a diminution of the amount of moneys paid into the Treasury by State's Attorneys. From an examination of the returns of state causes, there appears to be no considerable increase of state prosecutions, on the criminal dockets, of the courts, nor has the number of convicts in our penitentiary, for the period under consideration, materially increased. It is hence inferred, that the excess of expenditure, for that period, is to be attributed to some other cause than to the increase of criminal prosecutions.

There is noticible a marked disproportion, between the amount of court orders paid at the Treasury, originating in different counties.

In the year 1841, the amount of sheriff's bills paid in court orders, for the county of Windsor, was $288 99 only. The dockets of the courts were unusually crowded, even for that county, and two pannels of jurors were summoned each term. In another county in the state, consisting of a population but a fraction over one half that of Windsor county, the sheriff's bills paid in court orders that year amounted to $984 75, being an excess of almost 400 per cent. over the amount paid for the like service, in Windsor county, though the population of the latter county exceeds that of the former almost 50 per cent. The result is, that the sheriffs in one county are paid $7,61, while those of the other are paid $1,00, or in that proportion.

This great disproportion between these two Counties cannot be reasonably charged wholly to the different amount of business done. Something may be presumed to be attributable to some innovation in charging and allowance of accounts.

Another defect, in the law now in force, is, that in some cases it secures no *accountability* from persons entrusted with the public funds, nor does it secure even a *record* of the prop-

erty intrusted to its agents. It is believed that the property, belonging to the old Vermont State Bank, has been committed to the agent, appointed by law to settle that concern, without inventory,

It is not known that any records of that property have been kept for many years, nor is it an easy matter to exhibit the amount committed to the different agents, intrusted with the settlement of the concerns of that institution, without a long and difficult examination of the history of that Bank, from the time it ceased to discount. The law, appointing those agents, made no provision for an inventory of the property intrusted to them, or for auditing and settling their accounts. As honorable men, they were allowed to retain such sum as they might deem to be a just compensation for their services, and to transmit the balance of the funds, with which they were intrusted, to their successors in office.

The law thus placed these agents in the position of being auditors of their own claims against the government.

By the 4th section of chap. 9 of the military act, passed in 1837, the Commandants of Regiments were authorized to draw on the Treasury for an indefinite sum, to pay officers and soldiers required to attend regimental drills, and all sums thus drawn were at the disposal of the Quarter-masters of the regiments. The law required no accounting, whether the officers and soldiers attended the drill or not, or were or were not entitled to pay.

By the 15th sec. chap 10th of the act, in addition to the act of 1837, it was provided, that it shall be the duty of the commandant of each regiment to certify on his order upon the Treasurer, that the regimental drills, &c. have been duly held. Still there was no provision for accounting for the money, should a balance be left in the hands of the quartermaster.

In the 4th section of the act in addition to the several acts regulating and governing the militia of this state, passed Oct. 29th, 1840, it is provided that "any neglect of the several Quartermasters of regiments, to make the return herein required, or of suffering any of the funds of the regiment, in their hands, to be paid out for any other purposes, than those required by law, shall be deemed a breach of the condition of their bonds." Still no accountability is secured, because

it is made the duty of no one to see that their accounts are rendered, or that the bond is put in suit; for though by sec. 1st the Quartermaster General is *authorized* to prosecute any breach of such bond, it is not made his *duty* to do so.

The statute makes it the duty of county clerks to keep account of all monies by them received as court and jury fees, and settle the same with the judges at each term of the court, and after paying jury fees, &c., "the balance to be paid to the State Treasurer." Should a clerk neglect to settle his account, or to pay the balance to the State Treasurer, it would without doubt be a breach of the condition of his official bond, but a knowledge of these facts might never reach the Treasurer, or any one whose duty it is to prosecute the bond; or if the bond were put in suit, the evidence would be wanting to prove the amount of the liability of the clerk.

The Board of Commissioners for the instruction of the deaf, dumb and blind, are required by the statute to make an annual report to the Governor, of their proceedings, with an account of the expenditures incurred by them in the discharge of their duties. If these commissioners annually make their report, and the Governor approve of the disbursement of the appropriation, made by the Legislature for that object, the money is accounted for; otherwise not, as the last section of the act relates only to the personal expenses of the commissioners, which are settled by another department.

The law creating the office of Sergeant-at-arms, required that officer to give bonds, but it was made the duty of no one to take notice of the infraction of the conditions of that bond. That officer is required to make an accurate schedule or inventory, embracing every article of furniture, &c., and annually deliver it to the Secretary of State, to be preserved on file in his office. This duty may be all executed to the letter of the law, and still the property of the state may be purloined to an indefinite amount with perfect impunity, for it is the business of no one to compare the property furnished for the use of the succeeding Legislature, with the inventory lodged in the Secretary's office.

The law designed to secure the accountability of States' Attorneys, seems to require to be modified in several particulars. In the first place, the method provided by law, now in force, to ascertain the liability of State's attorneys, and to

charge them in account, is circuitous, complex, and difficult to be carried into operation. It is less simple and direct than it should be, to facilitate and secure a perfect accountability. Justly to charge a State's attorney, with all the moneys which may come into his hands, in the discharge of his official duty, depends upon several contingencies, either of which failing, a correct account cannot be kept with the attorney. The Treasurer is the officer intrusted with the duty of opening and keeping accounts with State's attorneys. By sec. 54th, chap. 11th, each State's attorney is required annually to make out and exhibit to the State Treasurer, on or before the 15th of October, an account of the disposition of all fines, forfeitures, costs, judgments, &c.; and by the 56th section the State Treasurer is authorized to audit and allow such account, &c.

In practice, this accounting, by the attorney with the Treasurer, is simply the presenting, by the attorney, of a statement of his own account, accompanied with the payment of such sum as the statement shows to be due, and from the nature of the case it cannot be otherwise.

These accounts are generally presented in the early part of the session of the Legislature, when the time of the Treasurer is fully occupied in the more appropriate duties of his office. If the attorney rightly balance his own account, after having charged himself with all his liabilities, all is accounted for; otherwise not. These accounts are presented on loose pieces of paper; nothing is transferred to books, and the accounts themselves, in times past, have been suffered to be scattered in the Treasurer's office, like Sibyl's leaves, in the cave, liable by every accident to be lost or destroyed. The statute of 1807 imposed upon the Treasurer the duty of opening an account with each State's attorney in the several counties. To enable him to do so, the several county clerks were required annually to make and transmit to the Clerk of the General Assembly, at the October session, a true and just statement of all the civil causes in favor of the State Treasurer, and also all the criminal causes entered on the dockets of the respective courts, during the preceding year, &c. In Slade's edition of Laws, page 561, it is made the duty of the Clerk of the General Assembly "to transmit the original returns, after they had entered them on the Journals of the

House, to the Treasurer of this State." This was done to enable him to compare the returns made by the Clerks with the returns made by the State's attorneys, and therefrom to commence and open an account between the State and each State's attorney. The Clerks were directed to make these returns annually, at the October session of the General Assembly, and this might not be till after the attorney had rendered and settled his account, and of course could not aid the Treasurer, in making the settlement, even if other circumstances had been favorable. In the Revised Statutes it is not made the duty of the Clerk of the House of Representatives to transmit the original returns of State causes to the Treasurer. Still the Treasurer is authorized finally to adjust and close said accounts.

In the revision, the county clerks are not required to make their returns to the Clerk of the House of Representatives, till the third Thursday of October, nor is the Clerk of the House required by that statute to enter those returns on the journals at all, though the practice has been to do so. It would seem that the original design of these returns had wholly failed, and it is difficult to perceive any valuable purpose to be accomplished, either in making these returns, or in their yearly publication in the Journals. It is evident that they cannot aid the Treasurer in settling the State's attorneys' accounts, and it may happen that the publication of a prosecution for an infamous crime, will injuriously affect the reputation of the innocent. The making and the publication of these returns are an occasion of considerable annual expense, which might be avoided with no detriment to the public service. As the law now is, there can be no other accounting with State's attornies than that before described, which is no other, than the mere statement of the attorney himself. The law requiring county clerks to make returns of state causes, was designed at once to be a check upon State's attorneys, and to aid the Treasurer in keeping those accounts. This law has not been carried into the revision, and to require the Treasurer to secure the State against loss in such case, would be to require him to deliver "the tale of bricks," while the straw is withheld.

In the 10th Sec. Chap. VIII. R. S. it is made the duty of the Treasurer, within thirty days after the close of each ses-

sion of the Legislature, to commence suits, among others, against State's Attorneys, who have been delinquent &c. in the payment of dues to the Treasurer. And in the 11th Sec. it is enacted, "If the Treasurer shall neglect to commence suits, as provided in the preceding section, he shall be answerable for such delinquency, in the same manner as if the sum so in arrear had been paid into the Treasury when due." The purpose, to protect the Treasury from loss, is here strongly manifested, but the law must always fail of its designed operation. How is the Treasurer to be informed whether an attorney has been delinquent in the payment of dues to the Treasury? Fines, forfeitures, costs and judgments may have been collected by the attorney, and still no knowledge of the fact may have reached the Treasurer.

True, by the letter of the law, he shall be accountable for all such delinquencies, in the same manner, as if the sums, so in arrear, had been paid into the Treasury when due, if he neglect to bring suit within thirty days; still it is doubtful whether our courts would enforce a law so manifestly unjust. From a brief consideration of the subject, it is apparent, that the different portions of the law, designed to secure accountability in public officers, are disjointed and do not harmonize together; that the system is complicated, and wanting in unity and directness of application, to the purpose to which it was designed, and that portions of the system are entirely expletive and useless.

That division of labor, so necessary to the satisfactory accomplishment of any purpose is wanting in our system of accounting. The appropriate duty of the Treasurer is to receive and disburse the public funds. To unite the auditing or allowing department with the disbursing department, seems manifestly incongruous. And yet, as the law now is, the Treasurer, in some cases, is made an accounting officer, and this, too, in cases, which may affect his own interest. Thus it makes him auditor to settle and allow accounts of State's Attorneys, where the allowance of an unjust credit to the attorney, might, in a certain event, free him, from an equal amount of liability to the State Treasury. The operation of the law is virtually to constitute the Treasurer Auditor to settle his own accountability to the Treasury. Another reason, why the Treasurer should not be called to the settlement of ac-

counts affecting the state of the Treasury is, that by possibility it might place the Treasurer within the influence of corruption, should a corruptible man be ever elected to that office. An officer, debtor of the government, may apply to him to have his accounts allowed at a false amount, or for services never rendered, on condition that the excess be divided with the Treasurer. If it be said that others also may be exposed to corrupt influences, it may be urged, that the facilities for corrupt appliances are peculiar, at the juncture of *paying*, as well as *settling* an account. The possibility of corruption should not exist, when it may be prevented.

A brief reference to the Treasurer's books, will convince any one that the desired accountability has not been secured, and that the defects in the law appertaining to this branch of the public interest have been of long standing. It will be found, on an examination of those books, that sums of money, due the state have been outstanding for years, in the hands of officers under bonds to render their accounts annually. The 10th Section, Chap. VIII of R. S., was enacted, for the purpose of fixing the responsibility on the Treasurer, for such delinquences, should he fail to commence suits, as provided by the Statute. But these delinquencies commenced during the incumbency of a Treasurer, now dead or out of office, and it might be difficult to determine where the liabilities ought to fall, in case of the insolvency of the original debtor and his bail. The statutes in force previous to the revision, required of the Treasurer to open an account between the state and each State's Attorney, in which the Attorney should be charged with all bonds forfeited, fines, &c. From an examination of the Treasurer's books, it does not appear that the semblance of an account has been opened with State's Attorneys, with the exception of the period elapsing from 1833 to 1836, during which time very imperfect accounts were commenced with the attorneys of several of the Counties. To secure a just accounting for the public dues, the law has made it necessary that various duties of several different officers should concur, and the failure of either of these may defeat the desired object. Thus if a State's Attorney fail to render his account, and the County Clerk to make his return of state causes, the Treasurer cannot charge the attorney in account. Again, if the County Clerk have made his return,

and the Treasurer neglect to charge the attorney in account, or to commence suit when he is delinquent, and the Treasurer, by his laches, has become responsible for the amount of the attorney's delinquencies, still, unless some one, authorized by law, shall compel the Treasurer to account and pay, the public funds are lost. Our system of finance seems to be greatly deficient, as a whole, in simplicity; and the various parts are not adapted to each other. Money is liberally scattered from the Treasury, but no public document shows to the people, that it has been *all* applied, to the various objects for which it was appropriated. The scattered fragments have not been collected to a focus, where the eye of the Legislature could contemplate the whole at one view. The Legislature cannot be expected to pass remedial statutes, for the correction of abuses, on their first appearance, but through the instrumentality of some public document, which shall annually call their attention to the subject of those abuses. The best systems of finance are liable to abuse, and in process of time will be abused. We have no officer whose appropriate duty it is to supervise the entire finances of the government, nor have we any annual report, showing their sources and disbursements.

It is believed, that the adoption of the practice of paying the contingent expenses of our courts of justice in money, and the consequent dispensing with court orders, would be an improvement of our system. These expenses accrue at stated periods, and the Treasurer could, with less difficulty, provide funds, to be applied by the county clerks, under the direction of the judges, in discharge of claims accruing for services attendant on the court, than to pay orders drawn for the payment of those services, as usually presented at the Treasury.

Those orders amount to about 4500 dollars annually, and the expense of drawing them, and of returning the abstracts to the Treasurer and Secretary of State, required by the statute, will somewhat exceed one thousand dollars. The design of the abstract is to form a check on the orders. The statute, requires the county clerks, to transmit the abstract to the Treasurer, "immediately after the session of either of the courts," and provides that no orders shall be paid by the Treasurer, until such abstract shall be lodged in

his office. The purpose of this provision was to prevent the payment of false or forged orders. Still, in past times those abstracts have had no such effect. The practice of the clerks is to draw orders during vacation, as well as during the session of the courts, and such are not inserted in an abstract till they may have been paid at the Treasury, for tho' the statute enjoins the Treasurer to pay no order till the abstract is lodged in his office, still, in practice, it is a dead letter. It is many times difficult, in the press of business, to compare the order with the abstract. They are for the most part presented at the Treasury for payment during the session of the Legislature; and it would require more time to compare them, with the abstract, than the Treasurer can well devote to the subject. The statute requires an abstract for each session of all the courts at which orders are drawn. It may be said that the law can be executed; but it may be replied that it *has not been.* In an examination of papers in the Treasurer's office, in March last, in furtherance of the present undertaking, there were discovered receipts, for monies advanced to Judges of the supreme court, to the amount of $146,00, which had been enveloped in abstracts returned to the Treasury office, and never charged to any account on the Treasurer's books, These abstracts had been in the office three to four years, and manifestly had never been opened. As checks against fraudulent orders they answer no valuable purpose. The abstract required by the statute to be returned to the Secretary of State, is probably of as little use as that furnished the Treasurer, though it will furnish materials, in the absence of better, to charge the amount of jury and court fees received and paid by the clerk.

The late Secretary of State, informed the writer that he had known of but one application, in a period of five years, to examine the abstracts deposited in the Secretary's office. But in case it should become necessary to examine any items of charge allowed, this may be done with less difficulty, by applying to the office of the county clerk, who is required by statute "to preserve and keep on file all accounts, and other vouchers, for, which such orders were drawn." It is difficult to perceive any sufficient cause for continuing the expense of abstracts, or of lumbering the Secretary's office with bundles of papers, destined never to be of use, except perhaps to amuse the curiosity of some future antiquarian.

If it be desirable, that the public funds be accumulated in one depository, and that the avenues to those deposites be as few as practicable, it is not less important, that the public securities, and the evidence of public property, be guarded with a similar vigilance. The statute requires, that the bonds of recognizance, given by county clerks, should be deposited with the Treasurer of the State. In the case of State's attorneys, the bond is required to be taken before a Judge of the county court, but the law has not directed, what department shall have the custody of the security.

On an examination of the Treasurer's office in March last, not one third of the clerks' bonds, required by law to be deposited in the Treasurer's office, and of State's attorneys' bonds, not one in twelve could be found. The examination extended back to 1833. The remainder of these bonds or securities, if ever found, must be looked for in the offices of the various county clerks, who are thus made the depositaries of the evidence and the securities, which are to charge them in a suit in behalf of the state.

If the people of this state have occasion to congratulate themselves, that no serious loss of the public funds has been experienced, it is to be attributed rather to the moral integrity and high sense of honor, inherent in our public functionaries, than to the wisdom and efficiency of our laws.

The length of this report will serve as an apology for not adverting to other less apparent defects in our system. It has been the purpose of the undersigned to propose a system of accounting, which shall be be at once simple, direct and efficient. It is not expected to be free of defects; still, as the proposed system provides, that the subject shall be annually brought before the Legislature in a report, wherein will be noticed any modification, which experience may suggest, it is hoped, that, it may conduct us to the completion of a system, which shall secure a "thorough accountability, by every officer or citizen, being in the receipt of money belonging, in any wise, to the state of Vermont."

The system proposed is exhibited in the accompanying bill.

All which is respectfully submitted by

DAVID PIERCE,

Auditor of Accounts.

AUDITOR'S REPORT.

To the General Assembly of the State of Vermont now sitting :

AUDITOR'S OFFICE, Montpelier,
October 12, 1842.

In pursuance and obedience to a resolution of the Hon. the Senate and House of Representatives, passed the 10th day of November, 1841, the Auditor of Accounts has the honor to submit to the General Assembly the following, as approximating the nearest to a satisfactory *report* of the finances of the State, which, under the existing laws and their imperfect execution, it has been in his power to present.

The defects in the existing laws, and their very imperfect, and in some cases impossible execution, have been alluded to in another report of the Auditor to the General Assembly.

The State of Vermont, on the 1st day of October, 1842, was indebted to sundry accounts to the amount of $208,330 29

As follows, viz:

To the School Fund,	$151,417 08	
To various towns for surplus revenue,	14,424 39	
To Bank of Burlington,	2,061 32	
To J. R. Langdon,	5,045 00	
To A. Willard,	3,094 98	
To old Bank of Montpelier,	376 20	
To the Safety Fund,	21,860 64	
To Safety Fund Banks, as interest,	6,201 48	
To Trustees of Insane Hospital,	4,113 33	$208,594 42

CAPITAL OF THE STATE.

The capital of the State is as follows, viz:

Balance due for State taxes,	$44,921 26	
Amount in the Treasury,	9,009 03	$51,930 29
Balance of debt against the State,		$156,664 13

It should be remembered, that $151,417 08 of this debt is due to the school fund, and $14,424 39 to the U. States de-

posite fund, amounting to the sum of $165,841 47, which sum exceeds the balance of debt against the State $9,177 34.

The school fund and the United States deposite fund may, not improperly, be regarded as portions of the capital of the State. The accounting officers of New York and Ohio, and perhaps other States, have treated them as capital. The United States deposite fund for the State of Vermont is

	$669,086 79
and the State school fund,*	181,926 99
	$851,013 78

From which deduct whole amount of State debt, $208,-594 42, and we have a balance of $642,419 36, applicable to the purposes of education, after the extinguishment of the entire debt of the State.

The United States deposite fund, with the exception of $14,424 39, which has been left in the Treasury by various towns, and which is now merged in the State debt, has been distributed to the several towns in the State.

The State school fund was commenced by act of the Legislature, passed in Nov. 1825, and since that period has been accumulating, from sources of revenue, which, but for that act, would have flowed into the Treasury, to be disbursed for the ordinary purposes of government. It is hoped, that the late action of the Legislature, upon the subject of this fund, may be admitted as an apology for adverting to that subject, in the following brief remarks. The act constituting this fund provides, that, "until the same shall amount to a sum, which shall yield an annual interest or income, sufficient to defray the current expenses of keeping a good free common school, in each district in the several towns, for a period of two months," it shall not be expended or appropriated to the use of common schools. Admitting the number of towns in the State to be 240, and allowing 17 districts to each town, and $58 82 as the expense of keeping a good free common school for two months in each year, and it would require a capital of $4,000,000, yielding an interest of six per cent. per annum, making no deductions for loss or expense of managing the fund, before the people of this State could expect to re-

* There has been a computation of the interest on school fund notes, which shows the amount falling due in October 1842 to be $3,000, and to be added.

alize any of the benefits, contemplated in the establishment of this fund. The Auditor's report in the Treasury department, in Nov. 1841, showed the fund, in round numbers, to be $164,000. It had then been accumulating sixteen years, and it would require fifty-five years more, before that sum, at compound interest, making no allowance for loss or expense, would amount to $4,000,000, or very nearly. This sum would be required, to yield the necessary amount of annual interest. In this calculation no allowance is made for increment of population, though at the rate of increase, as exhibited by the census, for the last twenty years, it would have accumulated more than twenty per cent. This possible increment of population, and the indefinite sum required to keep a school two months in the year, may possibly outrun the yearly additions made to the fund, and thus much farther delay the period, designated for the distribution.—This fund may be regarded as in an incipient state, subject to the control of the Legislature; so much so, that the act itself may be repealed, by the same power which enacted it. In this view of the subject, the fund may not improperly be regarded as part of the capital of the State, though sequestered, like the United States deposite fund, to a particular purpose.

The action of the Legislature, at the last session, by no equivocal indications, called in question the wisdom of hiring money to carry on the necessary operations of the government, while applying the ordinary resources of the State to swell a fund, to be enjoyed by future generations, who will doubtless be exempted from the burdens, which press upon the men of the present times. It cannot have escaped the notice of the Legislature, that in the condition of the finances of this State, from the commencement of the fund down to the present time, its origin was, and its accumulation has continued to be, dependant on direct taxation. The State had no surplus revenue, but all expenses of government were met by direct taxes. The purpose of the founders of the fund was to ensure the education of future generations, exempted from the burden of direct taxes. It is believed that the surest guaranty, for the education of posterity, is the present diffusion of knowledge to the greatest practicable extent; while the purpose of avoiding the taxing of a generation, more than fifty years hence, results in imposing a direct tax

upon the men of the present times, as much greater than the tax prevented, as the whole amount of losses incident to the fund and the expense of keeping it on loan.

Besides, were the fund now accumulated to $4,000,000, the amount assumed to be necessary, before, by the provisions of the act, the avails of the fund could be applied to their destined purpose, it might occur here, as it frequently has in Europe, that it would be difficult to keep so large a fund safely and constantly invested, at six per cent. interest. Should the State continue to be debtor to this fund, for coming years, in a proportion increasing with the fund, as for years past it has done, the subject would soon assume an interest of fearful importance. The interest of the loan could not probably be paid without a resort to direct taxes, in which event the very evil, designed to be avoided, would be encountered by future generations, in a form far more exceptionable. To carry on the operations of the government, and pay off the entire debt of the State, during the coming year, leaving the State school fund and the United States deposite fund untouched, would require a tax of 13 cents on the dollar on the grand list of 1841; and to cancel the debt of the State to the school fund, which must be done, should the Legislature enact to distribute it, would require a tax of 10 3-10 cents on the dollar, including 3 cents for the support of government.

The school fund, when regarded as a mere financial operation, is obnoxious to very serious objections. The three sources of revenue, sequestered to swell this fund, have never been sufficient to defray the ordinary expenses of government, but resort has always been had to direct taxes to supply the deficiency of the Treasury. The expense of collecting a direct tax is never less than seven cents on the dollar, and it may be more. The losses, necessarily incident to a fund on loan, and the expense of its management, could not be reasonably estimated at less than three per cent., provided it could always be safely invested at six per cent. on a long loan. But even this is not to be expected. According to this calculation there is a direct loss of ten cents on the dollar, on the entire amount of the fund, so that at the period, when by the calculation, the people of Vermont may expect to realize some of the contemplated benefits of the fund, they will have sunk $400,000 in the accumulation and management of the fund; in other words they will have expended $4,400,000, and will

have a fund of $4,000,000 only for the support of schools. The whole system, in its inception and progress, is founded on principles, which must necessarily eventuate in loss. Few would perceive the wisdom of the man, who should devote a long life, to accumulate a reservoir of water, above its natural level, by means of manual labor, to be used by his descendants for hydraulic purposes. All would see, that the project was founded in error and would result in loss; that the dreams of the visionary would be finally dissipated, by the imprisoned waters seeking and finally finding their natural level, and probably with disastrous results. And still there are many points of resemblance between the school fund and such a visionary project.

The interest of the State debt will be $12,515 66 for the coming year, and the sum of the receipts, from the three sources of revenue, sequestered by the act constituting the school fund, for that purpose amounts to $10,238 27 only, leaving the sum of $2,277 39 to be met by a direct draught on the Treasury, to pay the interest of the State debt.

Whether if the fund were accumulated to its contemplated amount, it would be promotive of the best interests of education, has been seriously doubted; but it would seem, that there could be but one opinion as to the policy of accumulating money in large masses, to be put afloat on the current of time, in the hope, that by possibility, it might reach and finally benefit a generation to be born half a century hence. While it is sure to hold out a lure to peculation, to ambition and corruption, the fund is always liable to be suddenly dissipated, as, to a considerable extent, was the case with the Smithsonian bequest.

Should the wisdom of the Legislature decide to apply the school fund to extinguish the State debt, as was in contemplation at the last session, at no distant period a diminution of taxes might be expected, and the losses and expense necessarily incident to a fund kept on loan, of course prevented.

Sergeant-at-Arms.

Agreeably to the requirement of the resolutions of Nov. 1841, an account was opened with the Sergeant-at-arms, in which he was charged with the amount of stationery, furniture and other property which was found on inventory to belong to

the State in and about the State House, at the close of the session of the Legislature; and it is gratifying to be able to state, as I now do, that the whole has been satisfactorily accounted for.

State's Attorneys and County Clerks.

It has not been in the power of the auditor to open satisfactory accounts with the various State's Attorneys and County Clerks in the State, as contemplated in the resolutions of Nov. 1841. The embarrassments, which have prevented the desired purpose, have resulted from the imperfections of the existing laws. These have been adverted to in my report to the Legislature, on the proposed modifications of those laws. By the 54th section of chapter XI. Revised Statutes, each State's Attorney is required annually, on or before the 15th day of October, to exhibit his accounts to the Treasurer for settlement. Since 1837, there should have been seventy returns, made to the Treasurer by State's Attorneys of various counties. The whole amount of returns, made at the Treasurer's office, since that time, is forty-one, leaving a deficit of twenty-nine-seventieths to be accounted for. No returns of an earlier date than 1837 have been found, nor do the Treasurer's books show any account opened with a State's Attorney anterior to that period, and but few accounts since 1835, and those so impefect as to render it wholly impossible to determine, from the books merely, the amount of State funds outstanding in the hands of those officers, though from the books and other evidence, it cannot be doubted, that the amount not accounted for must be very considerable.

The sum paid into the State Treasury by State's Attorneys during the year ending on the 30th of Sept, 1842, is

	$5,711 83
and by County Clerks,	431 94
	$6,143 77

Vermont State Bank.

The concerns of this institution have been brought nearly to a close.

There has been collected during the past year as principal,

	$814 97
and as interest,	113 65

The amount of notes outstanding in favor of this bank is 1,104 36

To which add the sum of $358 30, a balance found and reported to be due, from a former agent appointed to settle the concerns of this bank, and we have the sum of $1462 66, constituting, so far as it is known, the balance of funds, belonging to that institution, to be hereafter collected and applied to school fund.

Military Department.

In consequence of the repeal of "so much of chapter 8th, of" the military act, passed Nov. 1, 1837, "as provides for paying officers, non-commissioned officers, and musicians, for attending regimental drills," the expenses of this department have been considerably diminished.

The amount of orders drawn by the Auditor of Accounts on the Treasurer, on accounts by him allowed for expenses and services rendered this department, during the past year, is $1,135 62

Amount paid other claims for military expenses, 907 15

$2,042 77

The act of 1841, authorizing a trial by jury in cases of delinquencies in the performance of military duty, has resulted in much vexation and considerable expense to the State.

The following commnnication, from the late Quarter Master General, will exhibit the probable expense to the State resulting from those trials.

Montpelier, Oct. 25th, 1842.

Sir:—At your request, I hand you the expenses incurred in 13 regiments, from whose Quarter Masters returns have been received, showing in cash the balance due the Quarter Master, over and above the amount of judgments in his favor, for which the Quarter Masters have received or are entitled to an order on the Treasury, to wit:

1st Regiment,	$27 95
2d	64 21
4th	251 50
5th	66 21
6th	129 72
7th	197 67
9th	181 75
10th	10 71
18th	50 08
20th	48 50
22d	63

24th	99 25
25th	148 18

Making the whole expense to the State, in 13 regiments, exclusive of the loss on executions uncollected, . . $1,285 36

Should the remaining fifteen regiments be equally expensive, the whole charge to the State will be but a fraction short of $2,800, for delinquencies at June training in 1842. To this sum should be added the losses on executions uncollected, which will probably amount to from $300 to $500 more, and perhaps a larger sum.

Your ob't serv't,

DAVIS RICH.

HON. D. PIERCE, *Auditor*, &c.

Which, added to	$2,042 77
	1,285 36
will exhibit the sum of	$3,328 13

as the amount expended in the military department for the past year.

D. PIERCE, Auditor.

REPORT OF THE COMMISSIONERS APPOINTED TO VISIT THE UNIVERSITY OF VERMONT.

THE Commissioners appointed by the Governor to visit the University of Vermont for the year 1842, beg leave to report as follows, viz:

That we hope we have not misunderstood the purpose of our appointment, as set forth in the resolution of instructions passed by the Legislature. And if it shall appear that we speak with decision and earnestness, it is because we feel that we cannot discharge our duties under our instructions without so doing, and to that we appeal for our justification.

We are required to give special attention to the objects set forth in the memorial of the Corporation of the University, and report our views in relation to them. We know not how to do this better than, in the first place, to call your attention to the frank and energetic exhibition of those objects in the memorial itself, which is as follows:

The undersigned, appointed by the corporation of the University of Vermont for that purpose, beg leave to present the following

MEMORIAL.

The Corporation regard themselves as charged with the care of the University, not for their own interest, nor that of the Professors and Teachers, nor for the interest of any particular class or portion of the state, but for the benefit of the whole state. They regard the University as it was intended it should be by the first constitution of the state, as one of the public interests of the whole commonwealth; and not the creature of any party less than the whole. They do not wish this interest to be abandoned by the Legislature any more than that the care of the Judiciary should be abandoned by it. They wish it to be cherished and perfected. They labor for it without reward, as a public interest, in which they are concerned in common with all their fellow citizens, but only as others are. But being charged with the care of it, and being held responsible both in law and conscience, to take care of it rightfully, they cannot but present themselves before you, and ask that the people be not despoiled of this interest by the neglect of the Legislature, or defrauded of the benefits they expect from this, by its remissness.

As a corporation we have formed plans for its usefulness; and without intending to arrogate superiority to ourselves, we are ready to justify them on all suitable occasions. We have expended money, and that with as much wisdom as reasonable men could expect. We have sought to increase the fixed property of the Institution, and we have done it; we have sought to enlarge its means of influence by increasing its libraries and the apparatus of knowledge; and we have done it. We have sought to give reasonably exact and thorough instruction; and we have done it. We have sought to obtain grounds round about the University buildings for their convenience, for their beauty, and for their necessity; and we have done it. These objects have demanded patient thought, diligent inquiry, accurate investigation, and prompt and efficient action. This we have not shrunk from. We have determined to make the University, as far as our means could allow, what every right-minded and every clear-headed

man expected it should be,—a place where should be found all the healthful influences of sound learning.

To aid us in the care of this great state interest, we have asked the assistance of the Legislature, but no assistance has been granted. From the day in which certain lands were set apart for the University, which at that time were worth nothing to it, or any one else, to the present hour not a single dollar has been given to it by the Legislature. So far as legislative aid and countenance are concerned, this interest of the people has been disregarded. When war has broken it up, when fire has consumed its pleasant places, when penury and want have withered its influence and destroyed its property, it has come in sadness, and knocked at your door, only to be told, "Be ye warned, and be ye filled, but depart." When adversity seemed to be weary of afflicting it, and temporary prosperity had crowned its self-denial, it has come with sunshine in its face, and asked for the smiles of a welcoming parent, only to be turned away in silence, and perhaps contempt.

Commissioners have been appointed by the Executive of the state, who have visited us, and, after thorough examination, have reported our condition and our wants; and urged them upon the attention of the Legislature, but without effect. Still, although frequently unsuccessful, we cannot doubt that the time will come, when this great interest will be wisely attended to by those, who have in charge the system of education for the state.

The corporation of no literary institution is organized like that of a bank or a manufacturing company, to accumulate wealth, or to make money. If its annual income meets its expenditures, it is all that it is intended it should do. If these literary institutions are to be enlarged corresponding to the growing wants of the community, they must be aided from abroad. It is impossible it should be otherwise, unless they pervert their charter, and abandon the object of their creation. As citizens, we demand that the University should be faithful to the purpose for which it was created, and as a corporation we will not suffer its funds to be perverted to the trade of speculation. We have then only to insist, as citizens and as men, that it shall go on to accomplish the objects for which it was made. And in doing this, it must have aid from without itself. Every one knows that it must. It is so implied in its charter, it is so implied and was so understood by those who spoke of it in the original constitution of the state, and by those who adopted that constitution as the deliberate and solemn expression of their will, and it is so implied in the very nature of the institution itself. We ask, then, not merely as corporators, but as citizens, speaking to those, who hold their seats and their offices only because they represent our feelings, and those of our citizens like ourselves, that the wants of the University be examined into. And that they be examined into, not for the purpose of satisfying uneasy complainants, but for the purpose of an honest and adequate supply of the wants, if found to exist. We have never found our citizens generally unwilling, any more than ourselves, to aid from their own earnings the highest interests of learning; and if asked individually and alone, we doubt not the members of the Honorable Legislature would be found just representatives in their feelings of the general desire to aid in promoting the highest interests of learning. We only desire that there may be honesty and firmness enough to express these feelings in public acts.

We are now without the means necessary to complete the site of the

University. We are without means to supply the requisite instruction which our various departments demand; and we are without means to organize such new ones as the wants of the people of the state require. We have not squandered our funds, nor abused our trust, nor neglected to provide suitable instruction, nor proved unfaithful to our duties; if we have, we refuse not to be censured. We, therefore, respectfully ask the Legislature to appropriate for the use of the University from the Literary Fund, from the anticipated revenue from the public national lands, or from our State Treasury, such sums as may adequately supply its wants; and, as in duty bound, will ever pray.

Signed, JOHN WHEELER,
SAMUEL PRENTISS,
TIMOTHY FOLLETT,
WORTHINGTON SMITH,
J. D. FARNSWORTH.

The general position is taken in the memorial that the University is *a public interest*. To this we fully agree. It is assumed in the original constitution of the state to be an interest for the benefit of all the citizens of the state, directly or indirectly; it is so implied in its charter; it is so implied in the decisions of our highest courts; it is so implied in the appointment of commissioners for annual visitation, and more than all, it is so implied in the nature of the institution itself. It, therefore, seems to us, that no man can rightfully understand his own duties as a citizen, participating in the government of the state, who does not aid and support it, as a public interest, as really and as truly depending upon his care as that of the Judiciary; in a word, of as great importance to the support and defence of the morals, of the habits, of the intellectual growth, and the religious prosperity of the commonwealth, as any other state interest that *can be named*. Not that we think that this public interest ought to have precedence over other great subjects, but then it ought to have its place, and receive the portion of attention due its intrinsic importance.

The original constitution of the state contemplated the formation of a University as belonging to the system of education necessary to the prosperity and well-being of the state, and without which the other parts would be incomplete, and could not accomplish their own purposes. It was classed with the county grammar schools, and the town common schools, as a part and parcel of one system. This was the unsophisticated expression of the wisdom of our fathers, when they were neither blinded by party, nor bond-slaves to popularity. They spoke of this public interest even before that of the Judiciary, when, with prayers and tears and in the midst of war and of blood, they laid the corner stone of our political fabric. It was not, for a moment, looked upon by them as the creature of a particular sect or political party, but as an essential portion of the system of education, without which we could not be regarded as a civilized and Christian community, seeking to preserve itself. The University is certainly nothing to the Corporation as such; it is nothing to the Faculty as such; it is nothing to us as commissioners; it is for each and all of us as citizens, but for us only as it is for all others. It ought, therefore, in our view to be cherished as a public interest, and its wants met in the spirit of kindness and liberality. It ought to be withdrawn from all party influences of any and every kind, when exposed to them; and to be cher-

ished as an object of respectful regard by all persons, independent of every consideration, except its relation to the system of education for the whole state.

Such are substantially our views of the *main position* taken in the memorial; and we cannot but respectfully urge that serious and grave attention be given to that point; and that direct and palpable aid, so far as is proper, may be rendered to this great interest of the state.

That the condition of the University may be the more intelligibly set forth, we would speak,

I. Of what has been done by the state for it.
II. Of what has been done from other sources.
III. Of the present condition of the Treasury.
IV. Of the present and prospective wants of the University.

I. As to the first topic, it is known generally that the use of a right of land was reserved, in the towns chartered by the state of Vermont, for the use and not for the disposal of the University. At the period of this grant the land was of no immediate value, as it could not be leased. And as it did not come into the direct occupancy of any one, it took its chance with the other public rights, which, to a great extent, were rendered valueless by the fraudulent location of the land, by the proprietors, in the most worthless portions of the townships. Most of the valuable portions of these grants have been leased, and now yield a rent. But they were of no use in first organizing the University. And as they cannot be sold, and as the income from them is not large, they have been of comparatively small value, giving no immediate aid in the various misfortunes and embarrassments of the University. No other aid has been rendered by the Legislature, and the institution has been left alone, to struggle through a series of difficulties and misfortunes that have well nigh ruined it in several instances.

II. As to the second topic. What has been done for the University from other sources; we remark much has been accomplished. The zealous efforts of the Corporation, and those having the institution in charge, have resulted in the organization of the various departments of literary and scientific instruction, in the erection of three large brick edifices, in the commencement of an extensive library, and of a good philosophical apparatus; and in the gathering of very considerable collections in some of the departments of Natural History.

Additions have been made to the fixed property of the Institution to a large amount, by subscriptions from the public, by donations from individuals, and by purchase in various ways, until it is manifest that the principal power of the Institution for good has been derived from private aid. Its was organized, at first, and in its misfortunes it has been aided, and even resusitated, when about to expire, by the active energy of those having it in charge, in connection with the liberal aid of the friends of learning and piety. Fire, at one period, destroyed its buildings, war, at another, broke up its instruction, and armed soldiery filled its halls; death and misfortune have afflicted its friends, and penury and want have almost driven its teachers forth as objects of public charity. It is deeply affecting to consider that, in the midst of these deprivations and sorrow, the system of instruction has been steadily going on towards perfection, and that patient and continuous labor has not been withholden from the students. And it is still more deeply affecting to be assured, as we have been, that this has been done by the sacrifice, on the altar of self-denying

labor, of the strength and even of the life of some who were more or less connected with the system of instruction. Long sought aid was withheld, until they sank beneath the burthens of their station; and the only office of kindness that can now be rendered to them, is to tread lightly upon their ashes, and to speak well of their memory. Although unknown to its annals, and utterly disregarded by its guardians, when the secrets of all hearts shall be manifested, it will be found that they have "done the state some service," in their self-denying devotion to its best interests.

Although in the changes, that must have taken place, and in the various progress that has been made, by which the University has been brought up to its present prosperity, many things may have been said or done which were neither wise nor useful; yet, in looking calmly at its present condition, we cannot but be struck with surprize and admiration even, that so much has been effected for this great public interest.

III. In relation to the third topic, viz: *The present condition of the Treasury of the University*, your Commissioners would say, that in the examination of this department, they have found that the books exhibit in the clearest and most satisfactory manner the character and condition of all the property of the University. They show the presence of a watchful care and guardianship over all that is committed to the Corporation. And we could not but be struck with the fact, that the fixed property of the University had nearly or quite doubled within the last ten years. Were it not for the existing debts, the present income of the University would meet its current expenditures. If these were discharged, it might proceed quietly to accomplish its purposes, seeking, from time to time, such aid from the public and from individual patronage as might be necessary to supply its increasing wants, and accomplish the objects involved in its growth. The debts, which originated in part in the erection of the present buildings many years since, and in the purchase of land for the site of the College, have, by the pecuniary embarrassments of the country, become highly injurious to the interests of the University. They have brought more or less of mortgage and attachments even upon College property of great value to the Institution, and have operated most disastrously upon the current income of the University. This falls most severely upon the Faculty. They are not men accustomed to enforce the callection of debts at the point of the law, but others are, and the natural effect is they are more or less straitened in their income; and debts are shifted from more clamorous men to themselves. The result, of necessity, will be that the Faculty cannot act with the full power of their minds in their appropriate duties, and that they may be induced to accept of the more tempting offers that have been made to them to enter upon other fields of public labor. Here is not the place to speak of uncomplaining self-denial for the public good, but there has been and now is much of it in those who have the immediate charge of the University, which those who look after the good of the public ought to alleviate.

And as it is understood, that some of these embarrassments arise from debts due the Treasury of the State, the justice and the propriety of cancelling them is respectfully urged upon the Legislature.

IV. But there are other interests connected with the University to which we are directed to give attention, which we arrange in the *fourth place, under the head of the present and prospective wants of the University.* Both this year, and in years before this, some of us have attended the annual examination of the College, and its anniversary festival. And we

cannot but speak, with pleasure and unfeigned satisfaction, of the commendable spirit of learning that appeared manifest, both on the part of the Faculty and of the students. It is such, as it appears to us, as every good man would delight in witnessing, and which gives encouragement and hope that the youth of our country will come forth under auspices most favorable for a full and happy developement of their moral and intellectual character. But, while this is true, there are in the departments of instruction some most urgent wants, and which for a long time have been felt to be urgent. It is now more than thirty years since one of the most talented and learned of our citizens,* then a member of the Corporation, brought forward propositions for the establishment of two professorships, one of the English language and literature; the other of the modern European languages. Both were deemed of great importance by him and by the Corporation. Thirty years and more have rolled away, and the youth of the state have been deprived of the advantages which would have resulted from adequate instruction in these departments of learning. And specially have our academies, our common schools, and our female seminaries suffered from the want of such thorough and systematic instruction in the origin of our own language and its earliest history, as might be given through such a professorship. Such a want ought not to go unsupplied. The English department ought to be so organized as to give it a high degree of energy, unity and precision. If it should so happen, as has sometimes been suggested, that the school fund should be broken up, it would be, in the view of the Commissioners, of the first importance that assistance, in whole or in part, should be granted to sustain a professor in this department. They cannot but commend this to the attention of the Legislature, as having a most important bearing upon the common school education of the state.

The Commissioners have also given attention to the site, and to the present and prospective condition of the buildings of the University, which are objects alluded to in the memorial. It is obvious that in considering these objects, the prospective growth of the University must be kept steadily in mind, so that one generation may not plant, and build, for another to pluck up and pull down. If the operation of the Institution from year to year, shall be systematic, the gradual manifestation of an idea, which is ever present to the minds of those, who have it in charge, and are engaged in its labors, it will gradually develope itself, as it were, naturally, like a thrifty tree, which is becoming more beautiful by expanding and shooting up with additional grandeur and power.

With such a conception of the growing and expansive character of the University, it is plain that sufficient ground should be acquired for all its necessary purposes; as for buildings, for ornamental beauty, for recreation, etc., before the fixtures of society render the acquisition impossible. The institution, with more than one hundred students now, and which in three or four generations of men may number four or five hundred residents, had not, a short time since, as much land for its immediate purposes, as a well regulated family needs for its children. It was, therefore, wise and judicious, in our view, in the Corporation to obtain more while it was in their power to procure it. And, although it was at the hazard of present inconvenience from debt, no other course was left them, if they would seek the permanent interests of the University. In this liberal and

* Hon. Wm. C. Bradley, of Westminster.

enlarged policy for the future well-being of the Institution, they need the sympathy and encouragement of the Legislature, and of every citizen of a clear mind and pure heart. How could the Corporation do otherwise than seek to acquire more land than they possessed? and how could they do this without incurring pecuniary liabilities? and how is it possible for them to be relieved except by breaking up the Institution, or by applying to the representatives of those for whom they live and labor? In so just a cause, we hope they will not appeal in vain!

It is plain, also, that nothing but penury and disability should prevent the enlargement of the various means for accommodating students; and at no distant period the rooms for public purposes, as Chapel, Library, Collections of Natural History, will require enlargement. Indeed, the wants of the community demand that more and more various instruction should be given, and that all the facilities and all the apparatus of knowledge should be increased. Some of these wants may be left to coming years, but some should be speedily supplied.

We cannot conclude our report without seriously reflecting, that we belong to a perishable and dying generation. And as we pass away, we cannot but ask, where shall be treasured the records of present opinions, where the peculiarities of modern thought? Within what walls shall be gathered and preserved, for the use of future ages, the wisdom of our day for their guidance; or the folly of our day for their warning? Where shall it be found if not treasured up in our highest institutions of learning? And what are they for, except to gather up within themselves all the learning of the past and all the wisdom of the present, that they may distribute it to the rising generation? Human life begins in weakness and in ignorance, and it is only by the presence of the wisdom of past ages in our civil, political, literary and religious institutions, that our children come forward as civilized and cultivated beings. Were it not for these, they would be but young barbarians and savages. The great depository of this wisdom and knowledge is in our Universities and Colleges. We affirm, as a fact borne out by history, a fact not to be gainsayed, that the Universities of England and of Europe have been the home of free thoughts, the successful opposers of arbitrary principles, both in Church and State. Out of them came our principles of liberty and of freedom, and, more than that, out of them came the conception and the plans for universal education. It is not to be gainsayed that the common schools of New England originated in, and were planned by, the best educated men this or any country ever saw, and where there was the greatest number of these men, compared with the whole population. Ignorance and vice do not educate themselves; folly and guilt do not ask for the light of science; and therefore it is that wisdom and virtue seek the greatest possible diffusion of the highest and best education. If, then, we would perfect our system of state education, if we would treasure up, so that we can get access to the wisdom of our fathers and the wisdom of the race, if we would keep at hand the expositions of the principles of truth and justice, as applied to human existence by the greatest and the best of men, we must cherish, as of the first importance, our highest institutions of learning. Let, then, those fountains be kept full and overflowing by free and liberal aid, and let those sit by them whose delight it shall be to pour out of the living waters to every thirsty youth that shall approach.

In view of these facts and considerations, the Commissioners would ear

nestly recommend, that the notes due the Treasury of the State from certain individuals, for the benefit of the University, be given up.

SAMUEL C. CRAFTS,
NORMAN WILLIAMS,
LUCIUS B. PECK.

Montpelier, Oct., 1842.

The undersigned Commissioners would also recommend, for the purpose of rescuing our highest institutions of learning from parties of all and every kind, that the law defining the residence of freemen be so amended as that students, residing at institutions of learning, shall not thereby acquire a right of voting in the town at public elections.

SAMUEL C. CRAFTS,
LUCIUS B. PECK.

Montpelier, Oct., 1842.

REPORT OF THE COMMISSIONERS OF THE DEAF, DUMB, BLIND AND INSANE.

To his Excellency, the Governor of the State of Vermont:

THE Commissioners for the instruction of the deaf, dumb and blind for the year 1842, respectfully submit the following report.

Within the year ending on the 14th of May last, there were at the American Asylum for the deaf and dumb, twenty-two beneficiaries from this state who had been admitted by former boards of commissioners; of which number, during that year four completed their terms of admission and were discharged; two have left the institution and one other deceased.

At the meetings of our board in February and May last, we gave warrants of admission to four, as beneficiaries, three of whom are now under instruction; we have also extended the terms of two former beneficiaries two years. During the recent vacation of the Asylum one other of our pupils deceased, reducing the number of our beneficiaries at the institution at the commencement of the present term, to seventeen. Your commissioners have drawn upon the Treasury for the payment of the semi-annual bills of the Asylum to the amount of $2207 14, also $15 for the expense of transporting one of the beneficiaries to the Asylum.

Your Commissioners further report, that at the commencement of the present year there were four beneficiaries at the Perkins Institution and Massachusetts Asylum for the blind, who had been admitted by former boards. Of this number one has since completed her term and been discharged. We have admitted to the Asylum the present year four pupils for instruction, three of whom have entered the institution. We have also admitted one to the work department, and have extended the terms of two others for one and two years.

We have drawn upon the Treasury to meet the bill of the

institution for the year ending April 1, 1842, the amount of $654 94, but having discovered an error in the bill for the amount of $66 65, we have placed that amount to the credit of the state, which reduces the expenses for our blind beneficiaries for the present year to $588 09.

Your Commissioners further report, that in the appropriation of the fund for the support of the insane poor, in pursuance of an act of the Legislature of the last session, we found the duties and responsibilities of the office much increased. As the fund appropriated by the act was insufficient to meet all the cases that were reported to us, it became our duty to select, out of more than one hundred cases which were reported, such as appeared to us to be the most meritorious objects of public charity. In this view, having consulted with Dr. Rockwell, the superintendent of the Vermont Asylum, and made such other investigation as we were able, we were led to the conclusion that we ought generally to afford aid to those poor persons whose insanity had been of the shortest duration. Regarding insanity as a disease, which like all others, will more readily yield to early medical treatment, we believed that by granting aid to this class we should in most instances furnish the means of a speedy restoration to health, while we could generally do little more than to add to the comfort and convenience of those whose insanity had by long continuance, become confirmed and hopeless. In the one case, the appropriation would subserve the purposes of state charity by granting relief to the unfortunate individuals, while in the other, we should do little more than to relieve the towns of a portion of their public burthens. In carrying out this design we have granted aid in a few cases to those who have for a long time been afflicted with only occasional or partial insanity where improvement and recovery might be expected.

Of all the cases reported to us, we have designated twenty-four as beneficiaries. Of that number four have since recovered and been discharged; one other has since been discharged. One other has been discharged who was improved, nine are convalescing, four are improving, and six are stationary.

The persons thus designated by us, were placed in the Vermont Asylum for the insane, by contract with the trustees, at the rate of one dollar and fifty cents per week. The semi-annual bill of the asylum against the state will be about $678. And we have drawn upon the treasury for $20 to

meet the expense of transporting one of the insane persons to the Asylum.

Your commissioners here take occasion to express their high regard for this institution, and particularly for Dr. Rockwell, its distinguished superintendent, in whose scientific skill, humanity and persevering faithfulness, they have the utmost confidence.

By the provisions of the existing law, it is the duty of the board of civil authority, annually to report to the commissioners, all the cases of the deaf, dumb, blind and insane within their respective towns. From our experience in respects to these provisions, we deem it our duty to suggest the propriety of an alteration of the law, by which it should be the duty of the selectmen in each town, to report to the commissioners, or some one of them, all recent cases of insanity occuring between the annual meetings of the civil authority as often as they occur.

We think this more especially important in respect to cases of insanity, wherein effectual relief can rarely be afforded, except in the earliest stages of the disease. This immediate attention cannot be secured by the provisions of the present law, which merely brings such cases annually to the knowledge of the commissioners.

All which is respectfully submitted, by

HENRY STOWELL,
CALVIN JEWETT, } Commissioners.
O. P. CHANDLER,

Montpelier, 13th October, 1842.

SIXTH ANNUAL REPORT OF THE TRUSTEES OF THE VERMONT ASYLUM FOR THE INSANE.

OFFICERS OF THE ASYLUM.

BOARD OF VISITERS.

HON. CHARLES K. WILLIAMS,
" STEPHEN ROYCE,
" JACOB COLLAMER,
" ISAAC F. REDFIELD,
" MILO L. BENNETT.

COMMISSIONERS OF THE INSANE POOR.

HENRY STOWELL, ESQ.,
CALVIN JEWETT, M. D.,
O. P. CHANDLER, ESQ.

TRUSTEES.

SAMUEL CLARK, ESQ.,
EPAPHRO' SEYMOUR, ESQ.,
ASA KEYES, ESQ.,
N. B. WILLISTON, ESQ.

SUPERINTENDENT AND PHYSICIAN.

WILLIAM H. ROCKWELL, M. D.

ASSISTANT PHYSICIAN.

DR. SAMUEL B. LOW.

MATRON.

MRS. D. K. BAKER.

REPORT.

To the Hon. the General Assembly of the State of Vermont:

THE Trustees of the Vermont Asylum for the Insane respectfully submit their sixth annual report:

Since the last annual report, the new wing has been completed, which has furnished additional accommodations, and has increased our facilities for a better classification of the patients. Large and well ventilated halls, neat and pleasant sleeping rooms, a plenty of pure water, and kind and faithful attendants are furnished the establishment, and every thing is supplied to promote the comfort of the unfortunate inmates.—The trustees confidently believe that this institution now possesses all the facilities for restoration, which can be found at any similar institution in our country.

The institution has now been nearly six years in successful operation. During this time four hundred and twenty-four insane persons have partaken of its advantages. Three hundred and eleven have been discharged, and one hundred and thirteen now remain in the institution. Of those who have been discharged, one hundred and seventy-nine have been restored to their reason and usefulness. Many of the others, who had been confined in cages and chains, have become mild and greatly improved in their habits, and now partake of the comforts of life.

Since the first opening of the Asylum, notwithstanding the embarrassments peculiar to the commencement of all similar institutions, no serious accident whatever has ever happened to any one (patient or otherwise,) connected with the establishment. And, notwithstanding the large number of suicidal cases which have been admitted, artfully seeking every opportunity for self-destruction which a morbidly excited ingenuity could invent, we have thus far escaped the melancholly event of suicide. For a watchfulness and care, so vigilant and unremitting, great credit is due to those to whose charge they were committed.

We are gratified that we have so healthy a location. The climate is mild, and the mountain air is salubrious. Since the first opening of the institution, notwithstanding the severe

physical diseases to which many of them were subject, there have been but twenty-one deaths, or a little less than five per cent.

We consider it no longer necessary to prove the importance and necessity of this institution to the State, nor its utility to those who are afflicted with this severest of human sufferings. Great numbers of the insane may be restored to their reason and their friends, by a timely application of the facilities for curative treatment at the Asylum. The prospect is truly cheering to the friends of humanity, that suitable provision is made for the restoration of the insane poor, before they have passed into an incurable state, wretched in themselves, and a source of inconceivable anxiety, as well as of great expense, to their friends and the community.

The provision made for the insane poor at the last session of the Legislature, is a most benevolent and salutary provision for those who suffer the double affliction of poverty and insanity. It is believed that it will be adequate to give a fair trial to every recent case that may be offered for admission. If the insane are placed at the Asylum as soon as they are attacked with the disorder, many will be restored in three months, thereby making room for others to take their places. When we consider the large proportion of recent cases that recover, and the joy experienced by an unfortunate family, by having one of its afflicted members restored to usefulness, what an amount of happiness is produced by this noble provision?

It is much to be regretted, however, that, according to the present statute, a more direct application to the Commissioners cannot be made, as soon as a person becomes insane.—The longer the time between the attack of insanity and the placing the patient in an asylum, the longer will be the time required for restoration, and the less will be the chance of cure. Besides, the affliction and expense of the friends continually increase while the patient remains with them. If an indigent person becomes insane in February or March, for instance, he must wait a whole year, according to the present statute, before he can partake of the benefit of the appropriation. During this time he may have lost the only favorable season for recovery, and have passed into an incurable state. In the month of last February an indigent person and head of a family became insane. His friends, supposing it to be

too late to apply to the Commissioners for a share in the appropriation made by the State, sent him to the Asylum at their own expense. Before the Commissioners met in May, the patient was restored to his afflicted family, enjoying the blesings of health and reason, and capable of performing the relative duties of domestic and social life. Had his friends anxiously waited until "the first of February" of the following year, he might have passed into a state of hopeless insanity. We would, therefore, most respectfully invite the attention of the Legislature to this subject, trusting they will so amend this part of the statute, that those who are afflicted with this severe malady may receive the first practicable relief.

In noticing the results of the last year, we find that one hundred and ninety-six have partaken of the benefits of the institution. There were ninety-five patients at the commencement of the year, and one hundred and one have been admitted. Eighty-three have been discharged, leaving one hundred and thirteen patients now in the Asylum. Of those who have been discharged, forty-nine have recovered, twenty-eight have not recovered, and six have died.

We would again allude to what has so often been urged—the necessity of placing the insane in an asylum soon after the attack. By the report of the physician it will be seen, that nearly nine-tenths of the recent cases have recovered, while less than one-third of the old cases have been restored. Those, therefore, who are interested for the insane, should be aware of the importance of placing them under proper curative treatment in the first stages of their disorder. Every moment's delay increases the difficulty of restoration, and the expense is also greatly increased, as old cases require much longer time for their recovery.

The Trustees have attended to that part of their duty which requires an examination into the direction and supervision of the Asylum, and the treatment of the patients. We are happy to state, that there has been manifest, in every part, a degree of neatness and comfort, and an efficiency, mildness, and good order, which were worthy of all commendation.—The Asylum has been so generously aided by the public, through its Legislature, that the whole people have a right to know how its affairs have been managed. The solicitude and anxiety of those who place their dearest relatives in this institution, can be borne only by the strongest confidence in

the benevolence and humanity of those to whom they are entrusted.

We know that there are some who still retain their notions of an asylum from the opinions they had formed from the description of mad houses of the last century. Until within a few years, most of the asylums for the insane were merely places of safe-keeping of the patients. The unfortunate inmates were too often consigned to a living tomb, from which it was difficult to escape, until death, like a welcome messenger, removed them from their wretched existence. Could we witness no other management in the lunatic asylums of the present day, we would not have intruded the claims of this institution upon the attention of the Legislature. We are not ignorant that baseless suspicions and unfounded jealousies have always existed, to a greater or less extent, against institutions of this character. Those who have any doubts, we would invite to visit the Asylum, when they have opportunity, and we are confident that all their doubts will be removed.

Improvements are constantly making on the farm, which, in a few years, will be in a high state of cultivation. A greater amount of produce is every year realized, which greatly tends to lessen the expenses of the Asylum. But its chief advantage is, its beneficial effects on the patients. Exercise in the open air has always been conducive to their improvement and restoration. The best exercise for most of our male patients is, useful labor on the farm, which affords them pleasant employment, improves their health, and accelerates their recovery.

In conclusion, we would bear cheerful testimony to the prudent and faithful manner in which the several officers have performed their arduous and responsible duties; and at the same time we would commend the institution to the fostering care of the Legislature of this State, as worthy of their guardianship and protection.

SAMUEL CLARK,
E. SEYMOUR,
ASA KEYES,
N. B. WILLISTON.

Brattleboro', Oct. 7, 1842.

ABSTRACT

Of the general expenditure for the Asylum, for the year ending Sept. 30, 1842.

Stores, provisions, &c.,	$6,272 92
Salaries and wages,	3,146 30
Medical supplies,	270 13
Improvements and repairs,	1,819 34
Furniture, bedding, &c.,	924 66
Contingencies,	182 19
	$12,615 54
Income from board of patients, &c.	12,935 36

WILLIAM H. ROCKWELL, Superintendent.

Brattleboro', Oct. 1st, 1842.

The patients have been from the following places:

Vermont,
Maine,
New Hampshire,
Massachusetts,
Connecticut,
New York,
New Jersey,
Georgia,
Louisiana,
Territory of Iowa,
Lower Canada,
Island of Bermuda.

SIXTH ANNUAL REPORT OF THE PHYSICIAN AND SUPERINTENDENT OF THE VERMONT ASYLUM FOR THE INSANE.

The number of patients remaining at the close of the year,	95
There have been admitted during the year,	101
Total enjoying the benefits of the Asylum,	196
There have been discharged during the year,	83
There remains, Oct. 1st, 1842,	113

Of the 83 cases discharged, there have been,

Recovered,	49	
Not recovered,	28	
Died,	6	83

Of the 39 recent cases discharged, there have

Recovered,	35	
Not recovered,	2	
Died,	2	39

Of the 44 chronic cases discharged, there have

Recovered,	14	
Not recovered,	26	
Died,	4	44

Recovered, of all the cases discharged the past year, 59 per cent.

Recovered, of all the recent cases discharged the past year, 89.74 per cent.

Recovered, of all the chronic cases discharged the past year, 31.81 per cent.

Recovered, of all cases discharged, 57.55 per cent.

Recovered, of all recent cases discharged, 89.11 per cent.

Recovered, of all chronic cases discharged, 29.26 per cent.

Since the opening of the Asylum 424 patients have been admitted, 311 have been discharged, and 113 remain in the institution.

Of the 424 patients who have been admitted, 179 have recovered, equal to 42.21 per cent.—21 have died, being a little less than 5 per cent.

We have again to acknowledge our obligations to a kind Providence, for the many favors we have been permitted to enjoy, the past year. We have been preserved from any suicide or serious accident, and have enjoyed an unusual degree of health. We have received a greater number of inmates than in any former year, and our endeavors in behalf of our afflicted fellow-men have been crowned with increased success.

We have had no epidemic sickness, and but six of our patients have died. Two were brought here in a moribund state, neither of which lived a week. One died of epilepsy, one of marasmus, one of inflammation of the brain, and one of old age.

The wide difference in the proportions of cures in recent and chronic cases, strongly reminds us of the importance of placing the insane in a proper asylum in the early stage of the disease. We would not, however, discourage the friends of those whose disease has been of longer duration from making a fair trial. During the past year we have had the gratification of witnessing the recovery of two who had been insane six or eight years. One had been with us twenty-two and the other thirty-one months. In the case of the one last mentioned, there had been no indications of amendment until within a few months of his restoration. The chief means used at the time of his improvement was constant useful la-

bor. It is thought by some, that three or at most six months will afford abundant opportunity for ascertaining the curability of the patient. In many of the cases, twice that length of time is necessary to remove the physical disease which produced the insanity. I have no doubt that many more chronic cases would recover, if they could have a sufficient time of trial.

The cure of the insane, though the greatest, is not the only object of the institution. The improvement and comfort of those who have passed into an incurable state, is of no small importance. Many who were so violent before admission as to be confined and even chained, have now become peaceful members of our family, and conduct with propriety.

In asylums for the insane, every necessary appliance, both medical and moral, are requisite, to obtain the greatest success. Without the indispensible aids of good moral management, little can be done. Medical treatment is equally necessary to remove the physical disease on which the insanity depends. Insanity itself is nothing more than the effect of physical disease, and the skilful application of remedies to remove that disease is of the first importance. Even moral causes never produce insanity, until some change has taken place in the physical system, which requires physical remedies to restore that system to its natural, healthy state. The successful medical practitioner duly appreciates the judicious application of moral means in removing disease. But the skilful co-operation of both medical and moral treatment, affords the best chance for the restoration of the patient.

In our endeavors to restore the insane, our chief object is to make use of such means as shall tend to promote the health of the patient, and keep his mind agreeably occupied. One of the best means we have found for this purpose is exercise in the open air. For those of our male patients who are able, and whose former pursuits have been agricultural, employment by useful labor in the garden and on the farm, has proved very beneficial. It operates morally by occupying the attention and diverting the mind from its morbid fancies; and physically by improving the health of the patient. We are

constantly making improvement on the farm, which, in a few years will be in a high and profitable state of cultivation. More land is needed to furnish sufficient employment for our patients.

The inmates of a lunatic hospital are unlike those of a hospital for the cure of other diseases, where its patients are not only unable to attend to their own wants, but need the constant and unremitting care and watchfulness of their attendants to alleviate their sufferings. The insane on the contrary are frequently in comfortable health, able and willing to assist in the support of themselves and others, and even rejoice in the opportunity to assist in relieving their fellow men from the greatest affliction to which human nature is subject. While they are engaged thus in their laudable and humane employment, they are using the best moral means for their restoration.

We wish not to be understood that all who are not confined by sickness are engaged in some useful labor; for in a lunatic asylum there are always some who are too feeble to be employed. The greatest care is always taken that no one shall exercise beyond his strength. All of those who are able, are not engaged in useful employments. Some are employed in works of ornament, according to their former education, habits and taste. We have a carpenter's shop and also a shoemaker's shop for our male patients in the winter season.

While we have made so great exertions for the employment of those who were in a proper condition, we have not failed to bestow the most kind and assiduous attentions upon the sick. According to annual statistical reports, our bill of mortality has been less than that of any similar institution in this country. Whenever a patient is taken sick, he is always removed to the most quiet part of the establishment and is attended day and night as long as his sickness continues.

Our female patients take exercise in the open air by riding, walking, and culling flowers in the garden. We have horses and carriages devoted exclusively to the benefit of our inmates, and most of our female patients who are able, ride ev-

ery fair day. We have, connected with the establishment, a beautiful garden, containing a great variety of plants, to which our females frequently resort in the summer and take great delight in culling flowers for their rooms.

The matron has frequent sewing parties, which all the female patients who are in a proper condition attend. In these parties they appear to take great delight. At these times they are furnished with fruit and other suitable entertainment. Those who have been accustomed to playing on the piano, practice the same at the asylum. Others amuse themselves by playing chess, backgammon, draughts, battledoor, graces and other similar amusements.

We have a library of about four hundred volumes, which affords much interesting matter for those who are fond of reading. The assistant physician is ex officio librarian, and books are taken out every Wednesday and Saturday. We have commenced collecting a cabinet of minerals, which will probably increase from year to year.

We would gratefully express our obligations to those editors and publishers who have so generously sent us their newspapers for the benefit of the patients. Each paper is eagerly sought by those who have resided in the vicinity where it is published. Newspapers and other periodicals furnish more entertainment and topics for conversation than any other kind of reading.

It was a source of great regret that we must part with our matron, Mrs. Wilkins. She had devoted her energies to the best interests of the institution with a zeal and prudence which is rarely equalled. Being at once kind, humane, prudent, assiduous, and untiring in her efforts to promote the welfare of those committed to her care, her resignation was much to be regretted by the friends of the asylum. We are happy to state that our present matron has performed her duties in a manner that merits our approbation and inspires us with anticipations of her great usefulness in her department.

We have continued our religious exercises ever since the asylum was first opened. We know not of their having been

injurious to a single patient, and to many they have not only been a source of great comfort, but have greatly assisted in their restoration. Most of our patients delight to attend and would be greatly disappointed if they were denied the privilege.

Encouraged by the success which has attended our past endeavors, may we not hope for a continuance of the smiles of Divine Providence to bless our future labors.

WILLIAM H. ROCKWELL.

Brattleboro', Oct. 1, 1842.

TERMS OF ADMISSION.

For indigent patients *of this state*, two dollars per week, or one hundred dollars per year, if they remain so long in the Asylum.

For all others, two dollars and fifty cents per week for the first six months, and after that time two dollars per week.

Those who require extra accommodations, and those afflicted with nervous diseases, will be received at reasonable prices, according to the accommodations required.

No patient will be received for a less term than three months. But if the patient should recover before the expiration of that term, the pay for the unexpired time will not be required. If the patient remain longer than three months, the subsequent payment will be required only for the time the patient remains.

No charge is made for damages in any case.

Application for the admission of patients must be made, by letter or otherwise, to Dr. Wm. H. Rockwell, or either of the trustees.

REPORT OF HENRY STEVENS ON REVOLUTIONARY CLAIMS OF VERMONT UPON THE UNITED STATES.

To his Excellency CHARLES PAINE:

After receiving the appointment to investigate the facts, and ascertain whether this State has a just claim upon the Government of the United States, for expenses incurred during the Revolutionary War, I examined the journals of the Council of Safety from the 15th of August, A. D. 1777, to the 12th March, A. D. 1778. There being no printed journals of the General Assembly, or of the Council, or acts of the Legislature, to be found in the State department previous to the February session, A. D. 1784, I therefore examined the manuscript journals of the House and Council, and acts of Assembly, where the printed documents could not be found, up to and including the session of the General Assembly, A. D. 1794. This being accomplished, I commenced the examination of the books and manuscript papers in the State and Treasurer's departments, for the purpose of ascertaining whether the several reports of Auditors, Pay-Table Committee, and reports of committees on the part of the General Assembly, Commissary General, and Pay-Master General, could be found. I have not been able to find all the reports of the Pay-Table Committee, nor the annual report of the committee appointed from time to time to settle with the Treasurer. No documents can be found, connected with the Auditor's department, previous to A. D. 1808. The Commissary General's and Pay-Master General's books are not yet discovered. No records of the Surveyor General are in the State department. I then commenced the examination of the files in the Treasurer's department, separating the vouchers for military expenditures from others. Such vouchers as contained interesting historical facts I placed by themselves. I found the orders drawn on the Treasurer, by proper authority, for military services and expenditures, including sums directed to be paid by the House of Representatives, also by the Governor and Council and Board of War, to be equal to five hundred thousand dollars, exclusive of interest and exclusive of property destroyed by the enemy.

Vermont being admitted into the Union March 4th, A. D. 1791, the General Assembly of this State, Nov. 3d, A. D. 1791, appointed Commissioners to ascertain the expenses of this State in the prosecution of the Revolutionary War. Hon. Isaac Tichenor, Gen. Ira Allen, and Benjamin Green, Esq., were appointed Commissioners to collect and arrange all the amounts of the said expenditures, occasioned by the war. Gen. Ira Allen was appointed Secretary and Treasurer, 6th of January, A. D. 1776, by convention, and remained Treasurer until October session, A. D. 1786. It appears from the journals of the General Assembly, that no final settlement was made with said Gen. Allen, until the 25th of October, A. D. 1792. The settlement not being made is the probable cause of the Commissioners on the part of this State neglecting to make up the amount of the said expenditures. Therefore no accounts for Revolutionary expenditures were presented to Congress, December, A. D. 1792, agreeable to

the act of Congress, passed 23d January, A. D. 1792, giving Vermont a right so to do. Congress therefore found it necessary, for the purpose of enabling the Commissioners on the part of the United States to complete a settlement between the several States and the United States, to pass a law, February 27th, A. D. 1793, repealing the second section of the law passed 23d January, A. D. 1792, giving Vermont a right to present her claim in December following. After thus examining the documents and files in the State and Treasurer's departments, also the report of the Board of Commissioners appointed to settle the accounts of the several States with the United States, I entertained serious doubts whether, after the vouchers being more carefully examined, the sum expended would amount to a sum sufficient to make Vermont a creditor State, had she presented her claim in December, A. D. 1792.

In making this examination, I discovered many well authenticated manuscript papers, which go to make up the doings of the various conventions of the people, as well as the doings of the Council of Safety, previous to the 15th of August, A. D. 1777, of which we have no record in our State department. I also discovered many copies of letters, written in Council of Safety, to officers commanding in the northern department, and to military officers in this State, which led me to believe that Vermont was entitled to the credit of performing more and greater military operations, in the northern department, than all the other military operations in this department put together.

After making these various discoveries, as far as practicable I endeavored to ascertain wherein we were deficient, in our State department, in proper and necessary documents, in order to make a complete history of the proceedings of the people in this State in their several conventions, and the proceedings of the various Councils of Safety, previous to the 12th March, A. D. 1778; which deficiencies were numerous,—yet, from various sources, I had good reason to believe these could be supplied. I therefore, after consulting with several distinguished gentlemen, as to what was best, under existing circumstances, concluded to collect and arrange all amounts of the expenditures occasioned by and on account of the Revolutionary War. I have nearly completed copying the pay rolls, and shall proceed in copying each voucher as fast as practicable, as well as doings of the General Assembly, Governor and Council, and Board of War, making appropriations for military services and expenditures. I have written to sixty town clerks, residing in towns which, by the law of this State, passed at Westminster, March 8th, A. D. 1780, were authorized to tax themselves for the purpose of carrying on the war, and for supplying a town stock of ammunition,—requesting each town clerk to copy all warnings and proceedings of his town connected with the same.

I considered it necessary to procure and arrange, as far as possible, the documentary history immediately connected with the military operations of this State during the Revolutionary War. I therefore, on the first day of June last, proceeded to Concord, N. H. At the Secretary of State's office I found the manuscript papers, before and during the war, well arranged, according to dates, and neatly bound into proper sized volumes. On making my business known, I was kindly received and every facility gratuitously tendered, by which means, in nine days I examined said manuscript papers, and completed an index of such documents as had an immediate reference to this State. I spent one day at Dunbarton, with Major Caleb Stark, grandson of General Stark, examining one bound volume

of manuscript letters, written and received by Gen. Stark during the war, particularly such letters as were written and received during the time he was on his way to Bennington, August, A. D. 1777, as well as during the time he had command in the northern department.

From Concord I proceeded to Boston. At the State department I found the documents well arranged, with an index to each volume. The Rev. Mr. Fett has for several years been employed in arranging and binding the manuscript papers in the State department. Mr. Fett kindly aided me in selecting the necessary documents in relation to the military operations in the northern department, so far as Vermont was concerned. At this office I completed an index of the documents in relation to taking Ticonderoga and St. Johns, amount of property taken, surrender of Ticonderoga, battles at Hubbardton and Bennington, surrender of Burgoyne, and all doings therewith connected. I called upon the Rev. Jared Sparks at Cambridge, who arranged and bound the letters addressed to General Washington, before and during the Revolutionary War. The Rev. gentleman had in his possession an index, giving the date, volume and page, and by whom written, of all the letters addressed to Gen. Washington, contained in one hundred and seventeen volumes. He kindly tendered me every aid and assistance in making such extracts from this index as was thought would be necessary in prosecuting my further inquiry. He informed me, that while he was in England making his researches for official documents and historical facts in relation to the American Revolution, he discovered in a private gentleman's library the original manuscript papers of letters received and answers sent by Gen. Haldemand, while he had the command in Canada. The public and private correspondence with gentlemen in the Grants, and other portions of this Government, are here to be found. I also called on the Hon. George Bancroft of Boston, the American historian, who kindly furnished me with many historical facts which he had discovered, in relation to the military operations of the northern department.

From Boston I proceeded to Worcester, where I spent two days in examining files of newspapers, books and pamphlets, belonging to the American Historical and Antiquarian Society. I here found proceedings of several early conventions, held by the people in this State, published in the papers; also several communications, and one pamphlet, directed to be published by the Governor and Council of this State, A. D. 1779 and A. D. 1780.

At Hartford, Conn., I spent a few days examining the bound manuscript papers in the State department. I here procured a late publication, entitled "A historical collection from official records and files, of the part sustained by Connecticut during the War of the Revolution, with an appendix containing important letters and depositions, written during the war," compiled by Royal Hinman, Secretary of State. I also examined files of papers in the office of the Connecticut Historical Society, and noted many important historical facts.

From Hartford I proceeded to Washington, and on the 27th of June I made application to the Chief Clerk in the State department, the Secretary of State being absent. I was here permitted to make such examination of the manuscript documents as I considered necessary. I here found one hundred and seventeen volumes of letters addressed to General Washington; also many volumes of Washington's letters in answer. I commenced April, A. D. 1775, and turned over each leaf of each volume from that date up to and including A. D. 1782, noted such communications as in any

manner related to the New Hampshire Grants, the date, by whom written, and contents. I examined letters of Gov. Thomas Chittenden, Ethan Allen, Levi Allen, Moses Robinson, Roger Enos, Ira Allen, Stephen R. Bradley, Joseph Marsh, Peter Olcott, Timothy Beedle, President Ware, John Wheelock, Gen. Philip Schuyler, Gov. George Clinton, Gen. James Clinton, Gen. Garnsworth, Gen. Benjamin Lincoln, Gen. John Stark, Gen. Gates, Gen. Heath, Gen. Benedict Arnold, Gen. Montgomery, Gen. Sullivan, Col. Seth Warner, General Wooster, as well as many others, written to Gen. Washington and to Congress; also his answers in relation to the military operations and civil affairs in the northern department, including the New Hampshire Grants. I here found two volumes of printed and manuscript papers, marked "New Hampshire Grants, reports of committees and papers relative to, from A. D. 1776 to 1784." In these two volumes I find certified copies of the proceedings of all conventions of the people inhabiting the Grants, previous to the meeting of our first General Assembly, March, A. D. 1778, besides the proceedings of the Provincial Congress of New York and New Hampshire in relation to the Grants. I copied several important letters, written by the aforesaid general officers and gentlemen. Several of the letters, at the time they were written, were secret, confidential letters to and from Gen. Washington, with enclosures testifying as to the correspondence between the leading men in the Grants and the British commander in Canada; the condition of the Continental troops in the northern department; want of clothing, provisions and ammunition; withdrawing the pick-axes, bars, shovels and spades from the Grants; inhabitants not being protected, going over to the British or joining with the Grants; destruction of Fort Ann, Fort George, and Skeenesborough; taking of prisoners, scalping, burning of buildings and crops; arrangements completed by the Cabinet of Vermont with the British commander; conventions east of Hudson River; union with the Grants; number of British troops at Ticonderoga, Crown Point and Canada; eating up their provisions; their return to St. Johns; proceedings of the Legislature of New York, prohibiting the Commissary buying provisions for troops; would raise eight hundred militia, provided Congress would pay and victual them; threatening to withhold supplies, &c. From these official letters important facts are to be gathered from the commencement to the close of the Revolutionary War. I have succeeded in discovering all the pamphlets and handbills published by direction of the General Assembly, Governor and Council, during the war, in relation to the New Hampshire Grants being a free and independent State, and the controversy with New York, New Hampshire and Massachusetts Bay. These I have in my possession, with few exceptions. But very few of these letters, which I have referred to, have ever been published.

On my return, I spent a few days at the State department in Albany. The State of New York has recently published the proceedings of their Provincial Congress, with letters addressed to said Congress, in two large volumes. These I have procured. At Bennington, I made a thorough search for important documents, but few could be found; also at Shaftsbury, Arlington, Sunderland, Tinmouth, Williston, and Jericho, in hopes of finding original letters addressed to Gov. Chittenden during the war.

I was absent from my residence, in making what I considered to be necessary inquiries connected with this subject, ninety days. It may be thought that I have far exceeded my powers, or the design of the Legislature, in endeavoring to ascertain the amount of the expenditures on the

part of this State, occasioned by the Revolutionary War, as well as the documentary history connected therewith. Every intelligent Vermonter already knows that but very little has heretofore been published in relation to the Revolutionary military operations in Vermont or northern department. Therefore, to investigate the facts at this late day, and ascertain whether this State has a just claim upon the Government of the United States for expenses incurred during the Revolutionary War, the whole field must be examined. Whatever documents we are deficient of in our State department, immediately connected with said facts, it becomes necessary to procure and arrange. I have endeavored to do this in as prudent and perfect a manner as my personal means and time assigned would permit. In doing this, I was under the necessity of examining the many hundred bound volumes of manuscripts in the different State departments. I am nearly able to note the volume, page, date and substance of the documents needed, and in some instances have copied, and procured copied, important documents.

At the commencement of the Revolutionary War, each of the then thirteen States or Colonies were in a manner bounded by their several grants or charters from the English crown; but in forming the confederacy, the New Hampshire Grants could not be considered as belonging to said Union. The State of New Hampshire previous to this date had relinquished her claim. New York, by improper means, procured a decree from the crown, extending her bounds to the west bank of Connecticut River. Yet, on petition of the Green Mountain Boys, the crown was graciously pleased virtually to rescind the aforesaid decree as early as A. D. 1767.

The people of this State, for the purpose of establishing government, met in convention from time to time, and at length, on the 15th of January, A. D. 1777, in convention at Westminster, declared this State a free and independent State. From that period until this State was admitted into the Union, we were in most instances treated as a distinct community, both by friends and foes.

The important military services rendered the United States by the patriots of this new self-created republic during the Revolution, need only to be partially enumerated, in order to enable any man to come to just and honest conclusions as to the importance of those services. On receipt of the news of the British striking their first blow at Lexington, a few patriots assembled together at Bennington to consult for the general good.—The proceedings at Westminster on the 13th of March previous were discussed, also the proceedings of the convention at Westminster 12th April. Their difficulties with their old adversary, New York, were revived. The question—what is best to be done, all things considered? was then under consideration. We find these few patriots thus situated, without funds, with few implements of war, contemplating on the vast importance of surprising and taking the Gibralter of America, a place which took the whole united colonies, aided by the crown, years to subdue, previous to A. D. 1759. Col. Ethan Allen and Col. Seth Warner favored the design;—this was enough. The Green Mountain Boys were invited to join,—they assembled at Bennington. It was then that they were joined by a few individuals from Connecticut and Berkshire County. From thence they marched, under the command of Allen, and in the gray of the morning on the 10th day of May, A. D. 1775, Allen, on the walls of Ticonderoga, issued his proclamation in behalf of the Green Mountain Boys and Continental

Congress, Warner surprised the fort at Crown Point and the nest that formed a communication betwixt the colonies and Canada. Not yet satisfied, follow them to Canada Fort St. John surrendered, and they returned with their shipping, cannon and militarystores in triumph to Ticonderoga. Again follow the Green Mountain Boys to Canada, under the command of Schuyler, then Montgomery, Allen, Warner and Baker, to the close of that campaign. Again on receipt of the news of the defeat and death of Gen. Montgomery, their beloved friend, we find Warner at Bennington, with Ira Allen, Bowker, Safford and Brunson, recruiting a regiment of Mountain Boys, soon on their march in the dead of winter, 1776, for Quebec, for the relief of the long neglected and suffering American army; and there, amidst disease and death, Warner makes his report of having 291 effective men, exclusive of officers. Follow the Americans in their retreat from Quebec. You there find Warner, with the sons of this republic, protecting the rear of the American army, closely pursued by the enemy, picking up the lame and diseased, assisting and encouraging those who were the most unable to take care of themselves, and generally keeping but a few miles in advance of the British, who were rapidly pursuing the American army from post to post. By steadily pursuing this conduct he brought off most of the invalids, and with his corps of infirm and diseased he arrived at Ticonderoga a few days after the body of the army had taken possession of that post. Highly appreciating his extraordinary exertions, the American Congress, on the 5th day of July, A. D. 1776, the day after they had declared Independence, resolved to raise a regiment out of the troops which had served with so much reputation in Canada. Warner was appointed Col., and Safford, Lieutenant Col. of this regiment, and repaired to Ticonderoga, where they remained till the close of the campaign.

At the time the American army returned to Ticonderoga, sick, naked and broken hearted, without provisions, &c. to whom did they apply for immediate relief but to the Committee of Safety at Bennington, for a regiment of soldiers and for provisions? This request was received at 11 o'clock, A. M. At 3 o'clock, P. M. the Committee returned answer, saying "1000 bushels of wheat is now ready, part at the mill grinding. Teams will start tomorrow with loads of flour, and will forward the remainder as soon as you will send men to drive the teams, for our men are now almost all with you."

Again follow the Green Mountain Boys, 6th July, A. D. 1777, at the time St. Clair ordered Ticonderoga evacuated. The last to leave the fort, Warner, with his boys, was ordered by St. Clair to cover the retreat of the Continental army. Overtaken and surrounded by the enemy, and forsaken by St. Clair, he fought his way through all opposition, brought off the troops that refused to capitulate with Hale, checked the enemy in their pursuit, and contrary to all expectation arrived safe at Manchester.

What next? Gen. Philip Schuyler, Commander-in-Chief of the northern army, requires Warner and Stark forthwith to march from Manchester to Stillwater. The Cabinet Council of this Republic entered their solemn protest against Gen. Schuyler's power to give directions to the military operations in this Republic, (he being nothing more than a Continental officer.) The Council required Stark and Warner to march to Bennington. Here many of the left wing of Burgoyne's army found their grave, and the remainder safely camped in Bennington meeting-house, well guarded by the sons of freedom.

Where next? A portion of our troops are on their way to aid Gen. Gates

in his operations against Burgoyne. The remainder, in Burgoyne's rear, under the command of Col. Samuel Herrick, took possession of Burgoyne's reinforcement at Ticonderoga landing, with 200 batteaux and one schooner loaded with provisions and military stores, 291 prisoners; released 100 Continental prisoners taken at Hubbardton, 7th July; took possession of Lake George, and at length drove the remnant of the British army from Ticonderoga, Crown Point, Mount Independence, and Mount Defiance.—Capt. Ebenezer Allen, to close the campaign, with fifty Green Mountain Boys surprised and took forty-nine of the enemy, one hundred horses, sixty head of cattle and thirty wagons, and marched them triumphantly up to Bennington. Thus closed the campaign of A. D. 1777.

Honest and sincere was Burgoyne when he wrote his Majesty—"The district of the New Hampshire Grants, a wilderness little known in the last war, abounds with the most hardy, active, rebellious race of men on the continent, who hang like a gathering storm ready to burst on my left." By the united forces of the Americans on the plains of Saratoga was witnessed the surrender of the remnant of Gen. Burgoyne's army, the left wing and the rear of this powerful army having been already captured by the Green Mountain Boys; which was, no doubt, of the greatest consequence to the then pending cause of the United States, from its more than threefold effects,—first, in uniting and strengthening the people and armies thereof; second, in discouraging the British and Hessians and loyalist troops in America, and strengthening the minority and opposers to the war in England and Ireland, which weakened the bonds of the ministerial sticklers for such a man in Great Britain, and lessened the influence of the tories in the United States. Thirdly, it enabled the United States to conclude a treaty with the French nation in 1778, which brought the French fleet and armies to act in concert with the ships and armies of the United States, with supplies of military stores, and not only opened the ports of France to the cruisers of the United States, but it brought France and other powers into war with Great Britain, and added generally to the consequence and credit of the United States in Europe, and enabled Mr. Adams to establish loans and to purchase military stores in Holland. During the campaign of A. D. 1778 and 1779 Vermont protected the northern frontier, and in the mean time contributed troops to the protection of the inhabitants in the vicinity of Albany. The campaigns of A. D. 1780 and 1781 may well be considered the two most important campaigns during the Revolutionary War. The British had about 30,000 troops in America; 20,000 of these troops south of West Point, and from 7,000 to 10,000 in Canada. Vermont, July, 1780, appealed to Congress for help. No answer was received—no aid rendered. We appealed to each of the Legislatures of the New England States, as well as to New York. No answer was received—no aid rendered. The British came up the lake with a powerful army, possessed Crown Point and Ticonderoga; destroyed Fort Ann and Fort George; took prisoners, killed and scalped many of the inhabitants in the northern part of New York, and even south of Fort Edward; took hundreds of prisoners, destroyed by fire their habitations, and returned to Ticonderoga unmolested by the New York troops, being reinforced in October, A. D. 1780. It was admitted by the officers commanding the northern department, that Albany and Schenecteday must be the northern line of defence.

It was at this time, while the blood of the murdered citizens and the smoke of the burning habitations of the good people of Royalton were

going up to Heaven, that Allen demanded of the proud Gen. Carlton to stay the tomahawk and scalping knife in this State, as well as in the northern part of New York. This demand was complied with, and hostilities ceased during the remainder of this campaign.

During the campaign of A. D. 1781, after being disowned and threatened with immediate annihilation by Congress, claimed by neighboring colonies, and threatened with invasion by said colonies, these threats and these denials brought the Green Mountain Boys square upon their taps; and on the 14th of February, A. D. 1781, the Legislature of this Republic laid jurisdictional claim to sixteen towns east of Connecticut River, and west to Hudson River, ready for the campaign.

The British were again in possession of Crown Point and Ticonderoga; the Continental troops withdrawn from the northern department to aid in the southern department; the capturing of Lord Cornwallis; the northern department in New York almost to a man disheartened, without provision, without money, without credit; the Indians pillaging and plundering the commanding General's habitation of his silver plate, took away his guard. It seems to me that they were as destitute of patriotism as they were of money or the necessaries of life. The Cabinet of this State were under the necessity of adopting policy in lieu of power. They did negociate an exchange of prisoners with the common enemy. It was the policy pursued by the Green Mountain Boys that prevented the British from south of West Point and from Canada uniting and laying waste a territory much more extensive than our own Republic. Such was our policy and such our military force at this period, that a general officer in the northern department writes to Gen. Washington, "Vermont troops are about to garrison Fort Edward."

It was during this campaign that we received an acknowledgement from the British commander, lamenting the accidental death of one of our sergeants. It was on the 27th October, 1781, that his Excellency Thomas Chittenden issued his proclamation appointing Tuesday, the 16th day of December, as a day of public thanksgiving and praise to Almighty God, wherein he said "that He has been pleased to direct our councils and bless the administration of civil government in this State, and been graciously pleased to defend our frontier settlements in the midst of calamitous war, and in so signal a manner granted success to the American arms and their allies, in every part, both by sea and land. That in due time the just cause of this State may be fully acknowledged, when our enemies shall be confounded, when iniquity shall hide its head, and all nations be at peace." On the 14th of November, A. D. 1781, Gov. Chittenden wrote a confidential letter to Gen. Washington, informing him of the policy pursued by the Cabinet Council of Vermont, at the close of which he says, "And in the month of October last the enemy appeared in force at Crown Point and Ticonderoga, but were manœuvered out of their expedition, and are returned into winter quarters in Canada, with great safety, that it might be fulfilled which was spoken by the prophet, 'I will put my hook in their nose and turn them back by the way which they came, and they shall not come into this city (alias Vermont) saith the Lord.'" Thus closed the campaign of 1781. Gen. Washington was pleased, on the 12th January, A. D. 1782, to answer Gov. Chittenden's letter, by addressing a letter to Thomas Chittenden, giving him some gentle reproof. Gov. Chittenden, on the 6th March, in answer, says, "The glory of America is our glory, and with our country we mean to live or die, as her fate may be." Speak-

ing of the delegates of Vermont being at Congress, he says, "should Heaven prosper the design of their negociation, we please ourselves much that we, who are of one sentiment in the common cause, and who have but one common interest, shall yet become one nation, and yet be great and happy." During the campaign of A. D. 1782, Vermont protected the northern frontier from invasion, and rendered essential service to the officers commanding in the northern department to the close of the war.

After collecting and examining the documents, as published by the founders of this State, as well as the documents on the part of New Hampshire, Massachusetts Bay and New York, (a list of which is herewith transmitted, with the documents inclosed,) I am decidedly of opinion that Vermont had a just right to form an independent republic;—that Gen. Allen was right when he said—"And whereas this State hold their charter of liberty from Heaven and not of man or the will of man, have, upon a full and candid examination and consideration, determined not to submit Heaven-born freedom to the arbitrament of any tribunal below the stars." This Republic took from the enemy a large amount of military stores, and expended more than five hundred thousand dollars in defence of the United Colonies, for which we have received no compensation. Our fathers expended this money more for the protection and benefit of the thirteen American Colonies than for their own protection or interest. Various acts of the Provincial Congress go to show that they considered the New Hampshire Grants a separate, distinct and independent Republic. Numerous are the instances in which the Provincial Congress asked of this Republic assistance to fight their enemy. It is also a fact that the Provincial Congress, through their President and the commanding General of the American army, did, from time to time, ask from the Executive Cabinet of this State the performance of various important trusts. They did ask permission of the Executive of this State to arrest deserters from the Continental army within our territory. Permission was granted, upon the condition that no deserter, after being apprehended, should be taken out of our territory, without a fair hearing before a proper tribunal. They did refuse to lend their influence to redeem our citizens who were prisoners in the hands of their enemy. They did refuse to loan us seven of their prisoners in order to enable us to make an exchange with their enemy for an equal number of our citizens, even after we had furnished them with more than one thousand one hundred and fifteen prisoners taken of their enemy, in order to enable them to make an exchange with the enemy. They did resolve to move the cannon and other military stores, captured by the patriots of this State, to the south end of Lake George, when in our possession; and that the south end of Lake George should be the northern line of defence. Allen, the commander of the Green Mountain Boys, virtually refused to comply with said dishonorable, arbitrary and tyrannical resolves. He sent his agent to the Provincial Congress with his solemn protest against the removal of said cannon and military stores to the south end of Lake George, and against said place being established as the northern line of defence. The Provincial Congress thereupon reconsidered their former unjust resolve. They virtually asked permission to move a portion of the cannon from Ticonderoga and Crown Point, in order to enable the commanding General to drive their enemy from the town of Boston. It was our cannon, placed at New Haven, New London, Groton, and Stonington, that bid defiance to the rule of tyrants. It was our cannon that drove the British from the town of Boston. It is a fact,

that Gen. Washington placed the most unbounded confidence in the Cabinet and leading men in Vermont. It is a fact, that the commanding General of the American army was made acquainted with the necessity of the Cabinet Council of this State adopting policy instead of power, and that he virtually approved of the same. Approving of this policy, he withdrew many regiments of Continental troops from the northern department in order to aid the southern army in the capture of Lord Cornwallis, well knowing that the enemy, from seven to ten thousand, were in Canada and at Crown Point and Ticonderoga, ready to lay waste the northern frontier, and believing that the Cabinet Council of the Green Mountain Boys were capable of using deception to obtain justice from the hands of tyrants for the benefit of the suffering American Colonies. Yes, on the receipt of the news of the surrender of Lord Cornwallis, the commanding General of the northern department issued a general order for the discharge of fourteen cannon, one for each of the thirteen Colonies, and one in honor of the free and independent State of Vermont.

Whatever our fathers expended on account of the Revolutionary War, was done as an independent Republic, and in as independent a manner as that of France or Holland. Therefore I am of the opinion that this State ought not to ask of the United States any remuneration other than in that character. I do believe that the accompanying documents will sustain every important fact alluded to in the foregoing, and that we have an equitable, just and well founded claim against the United States for a sum exceeding five hundred thousand dollars, exclusive of interest, exclusive of property destroyed by their enemy, exclusive of military stores,—more than three hundred cannon, tons of balls, barrels of flints, tons of powder, two hundred batteaux, and one sloop, containing provisions and military stores, delivered for the benefit of the Colonies. Again, for all these services we have received no compensation, and been honored with only *one gun.*

All of which is respectfully submitted.

I am, sir, your Excellency's obedient servant,

HENRY STEVENS.

Barnet, Sept. 27, 1842.

REPORT ON RESOLUTION FROM HOUSE OF REPRESENTATIVES RELATING TO COMMISSIONER OF THE DEAF, DUMB, &c.

To the Senate now sitting:

The committee to whom was referred a resolution from the House of Representatives, as follows,—"*Resolved, by the Senate and House of Representatives*, That Henry Stowell, Post Master at Cambridge, was not constitutionally eligible to the office of Commissioner of the Deaf and Dumb and Blind at the time of his last election, and has had no right to perform the duties of such Commissioner the past year," having had the resolution under consideration, respectfully report,—

That they are unable to find any reason for concurring with the House in passing the resolution. The committee suppose, from a report which is connected with the resolution, that the House directed any inquiry to be made by a committee of that body, to ascertain whether any persons holding offices of trust and profit under the General Government are also holding offices of trust and profit under the State of Vermont. This inquiry was made on the part of the House and not by the General Assembly of this State, and in which the Senate had not joined or taken any part or action. It would seem, further, that a report was made by a committee of the House, to the House, in which they state certain facts as the reason or foundation of the resolution. This report of the committee is now sent to the Senate, as the foundation of action of the Senate, and connected with the resolution under consideration. The committee believe this proceeding is novel, at least, in legislative proceedings, and that the Senate cannot well take the report of a committee of the other branch of the Legislature, in form as a report, as a substitute for a preamble to a resolution, or as establishing reasons or facts for the action of the Senate. But, to take the report made to the House of Representatives by "Joseph Baker, for committee," as establishing the facts therein set forth, still your committee do not see any occasion for passing the resolution, and cannot believe that it ought to receive the sanction of the Senate.

Your committee have been furnished with an affidavit, subscribed and sworn to by Jesse Sears, which states that Henry Stowell, according to his best knowledge and belief, is a Post Master in Cambridge, and has been for more than a year; and a certificate from E. S. Merrill certifies that Henry Stowell is Post Master at Cambridge; which papers your committee submit to the Senate.

Suppose that Henry Stowell was, at the time of his election as one of the board of Commissioners for the instruction of the deaf and dumb and the blind, ineligible to that place, your committee cannot perceive what, then, can be the object of the resolution. Is it to pass censure upon the Legislature electing him? or is it to condemn his election? or to establish a precedent for future action? Henry Stowell does not now hold a place in the Board of Commissioners for the deaf and dumb. Another person has been elected by the present Legislature in his place, and the committee are not

aware that any further duties or acts are to be performed by him as a Commissioner.

Is it proposed by the resolution to set aside his acts as a Commissioner. or declare them void? The committee suppose that he acted with the other members of the board, and the acts of a majority would be sufficient; and in that respect the acts of the board would be good, provided Stowell was not authorized to act. Your committee further believe, that the duties performed by him under his appointment, supposing that he was not eligible to the place, could not be vacated or annulled in this manner.

Your committee have supposed that another view of the case might have been contemplated;—that if Stowell was not eligible to the appointment, he should not be entitled to the compensation allowed by law for his services. It has been shown to your committee, that said Stowell has presented to the Auditor his account for service in the discharge of the duties as Commissioner, and the amount has been allowed by the Auditor against the State, and an order drawn on the Treasurer for the same, according to the provisions of law; and the order has probably been paid by the Treasurer. Could the State recover back from him the amount paid him for his services? Your committee think not; and at any rate that the passing the resolution would not aid such a result, and that it would be the appropriate business of the judiciary to pass upon such a question, when it should be presented to them. If the payment had not been made, would the State be under less obligation to pay Mr. Stowell for the services which he had performed and the expenses he had incurred, because he was holding another office incompatible with his being a Commissioner? Your committee do not believe that the Senate would withhold payment for this reason.

Your committee believe that it has always been the practice to pay the debentures of returned members of the Legislature, when it has been ascertained that the returned member was not eligible to a seat in the Legislature, up to the time his case was passed upon by the body to which he was returned; and the returned member has been permitted to act as a member until it was decided by the body, who have the power to pass upon the eligibility of its members, that he is not entitled to a seat as a member. If sums paid to returned members, in all cases where it has been correctly decided that they were not eligible to a seat in the Legislature, could now be recovered back from them, it would probably amount to a considerable sum.

It would appear to your committee to be singular legislation, for the Legislature this year to declare, that a returned member of last year was not eligible to an appointment in the Legislature. Your committee believe that when a person is performing the duties of an office, or claiming to hold an office, where his right to hold the office is questioned, whether it be because the person is not eligible to the office, or because his election was not duly made, the right to the office is determined upon a proceeding upon a *quo warranto*, before a judicial tribunal. In the Legislature the jurisdiction of the election and qualifications of the members is given to the house to which they are returned. Is the proceeding under consideration in the nature of a proceeding upon a *quo warranto*? Your committee believe it is not and cannot be likened to it; and further, that the Legislature have no such jurisdiction. The Constitution of this State provides,—"Nor shall any person holding any office of profit or trust under the authority of Congress be eligible to any appointment in the Leg-

islature, or of holding any executive or judiciary office under this State." The committee understand that the office of Justice of the Peace is a judiciary office; and assuming that the office of deputy Post Master is an office of profit or trust under the authority of Congress, yet the committee understand that the highest judicial tribunal in this State has decreed that the acts of a justice, appointed by the General Assembly of this State, and the same justice being also a deputy Post Master, his judicial acts and proceedings are not void. Such a decision your committee believe is founded upon principles of justice, reason and established precedents.—The acts of a justice thus situated should not affect the rights of third parties, and if he was improperly exercising powers not belonging to him, he should be removed from his office by a legal proceeding. The proceeding under a *quo warranto* could not well be had after the person had gone out of office, and if it could be had, the committee are not aware that it would be competent to declare the acts of the justice void, before his removal.

Perhaps the object of the resolution is to have a declaration of the opinion of the Legislature, whether a deputy Post Master is eligible to the board of Commissioners for the instruction of the deaf and dumb and the blind.

Upon this question your committee have no hesitation in giving their opinion. Your committee believe that a deputy Post Master is eligible to the board of Commissioners. It has been too often decreed by the Legislature of this State that the office of deputy Post Master is an office of profit or trust under the authority of Congress, within the meaning of the Constitution, before recited, to remain an open question, or leave your committee at liberty to submit a different opinion; yet your committee, in justice to themselves, have to say, that if the question was an open one, and your committee were at liberty to form an opinion for themselves, they would hold a contrary opinion.

Is the appointment of a Commissioner for the instruction of the deaf and dumb and the blind an appointment in the Legislature, or is such Commissioner holding any executive or judiciary office under this State? Your committee cannot imagine any argument to sustain the affirmative of the proposition. Is the appointment of a Commissioner an appointment *in* the Legislature? A Commissioner is appointed *by* the Legislature, and his duties consist of a charge of the fund appropriated by the Legislature for the benefit of the deaf and dumb and the blind, and to designate beneficiaries to the Asylum and New England Institution.—These duties are not *in* the Legislature. The construction of the Constitution, in this particular, heretofore given, has been, that members of either branch of the Legislature, was an appointment *in* the Legislature, and never has been extended to appointments made by the Legislature, and cannot with any propriety be extended to a case like that of Commissioner of the deaf and dumb.

Then is a Commissioner holding an executive or judiciary office? An answer in the affirmative would confound all definitions and distinctions which your committee are acquainted with.

Executive duties pertain to the execution of the laws or the precepts of courts of justice, such as the President, Governor, Marshall, Sheriffs, &c. A judiciary officer is one who is charged with the administration of judicial proceedings in courts of justice, &c.

Your committee therefore conclude that a Commissioner for the instruc-

tion of the deaf and dumb and the blind is not an appointment *in* the Legislature, and is not an executive or judiciary office, within the meaning or intent of our Constitution.

E. N. BRIGGS,
THO'S BARTLETT JR.,
SALMON F. DUTTON.

REPORT OF THE COMMITTEE ON ELECTIONS.

By a resolution passed the Senate on Saturday, the Committee on Elections were instructed to report whether any member of their body were holding a seat here, who was at the time of his election holding an office of trust or profit under the authority of Congress, and to report such facts in the matter as had come to their knowledge.

On examination of Senator A. Allen, we find he has been Post Master at Fairhaven; that after his nomination for the office which he now holds in this body, to wit, on the 1st day of September, he forwarded his resignation to the Post Office Department, and recommended at the same time the appointment of another person in his stead, and from that time to the present he has not acted as Post Master at said Fairhaven in any manner, nor has he in any way availed himself of the franking privilege, believing, (as he says,) that he had no more right to exercise that privilege than any other individual in said Fairhaven. The Post Office has been kept in the store of said Allen, and the business done by the person he recommended to the Department to succeed him in that office, *as acting Post Master.* And believing, as a majority of your Committee do, that the said Senator Allen has performed every duty on his part requisite for him to do, to be fully discharged from said office of Post Master at Fairhaven, and his giving up and relinquishing all claim or use to the franking privilege, and having given up, on the 1st September, all the books, papers and all things pertaining or relating to the Post Office at Fairhaven to the said successor, and not having since that time given any direction in any way to said office,—he is, therefore, within the Constitution of Vermont, entitled to a quiet and unmolested seat in this body.

CALVIN TOWNSLEY, *for Committee.*

REPORT OF MINORITY OF COMMITTEE ON ELECTIONS.

To the Honorable Senate now in session:

The undersigned, the minority of the Committee on Elections, to whom were referred two resolutions, one of which instructed your Committee to inquire whether there was any member of the Senate now holding an office of honor or profit under the authority of Congress, and the other directing said Committee to inquire whether any Senator now holding a seat was ineligible to that office at the time of his election, presents the following report:—

That Alanson Allen, one of the returned Senators from the county of Rutland, was appointed Post Master for the town of Fairhaven, A. D. 1836, and that he has held the office ever since. In the winter of 1842 the said Allen received a letter from the Hon. Philo C. Fuller, requesting him to send his affidavit to the Post Office Department, stating that his bondsmen were responsible. This letter was answered by informing the Post Master General, that one of the said Allen's bondsmen had failed, and that if a new bond should be furnished, it would be executed and returned. After the said Allen's nomination and before his election a new bond was forwarded to him, which has not been signed. On the 1st day of September, 1842, the said Allen wrote and mailed his letter of resignation of the office of Post Master, directed to the Hon. P. C. Fuller, 2d Assistant P. M. General, which letter contained a request that Ira C. Allen, (the said Alanson Allen's nephew and partner,) should be appointed Post Master, to fill the supposed vacancy. On the 17th of Sept. last the said Alanson Allen received a letter from the said P. C. Fuller, requesting him to forward to the Post Office Department the aforesaid bond. Said letter did not acknowledge the receipt of the said Allen's letter of resignation. On the 22d day of Sept. the said Allen again wrote to the said Fuller, requesting to have his successor appointed as aforesaid. The bond aforesaid has not yet been executed, and the said Allen has not received an answer to either of his letters of resignation. The aforesaid Post Office is kept in the said Allen's store, and by his assistant, the said Ira C. Allen. Most of the way bills have been sent out in the name of Alanson Allen. The undersigned therefore recommends the adoption of the accompanying resolutions.

All which is respectfully submitted.

O. W. BUTLER.

REPORT AND RESOLUTIONS RELATING TO REPUDIATION.

To the Senate now in session:

The select committee to whom were referred certain resolutions, passed by the Legislature of the State of Kentucky, relative to the repudiation of State debts, respectfully report:

That the State of Vermont, being free from any public foreign debt, is not, consequently, required, by way of pledge, to make to other States or governments, any declaration of her views in relation to the sacredness of such debts; but being called upon by the resolutions above named to express her views upon the subject, she stands ready to disclaim all fellowship with the doctrine, that a State may or can refuse the payment of her just debts, whether foreign or domestic, and then, under the shield of State sovereignty, escape the discredit ordinarily attached to the violation of moral obligations. The State of Vermont deems such obligations equally binding upon governments and individuals, and considers the doctrine, that a State may repudiate her debts, as nearly allied to the barbarous and unchristian doctrine, that "might makes right,"—a doctrine, indeed, too often carried out in practice, if not avowed; but which has, however, been *professedly* repudiated by the civilized world.

Your committee, therefore, would recommend, as expressive of the sentiments of the people of this State relative to this subject, the adoption of the following resolutions.

H. EATON, *for committee.*

Resolved, by the Senate and House of Representatives of the State of Vermont, That this State has no sympathies with that legislation which violates the pecuniary obligations of a State, and takes shelter under State sovereignty, to evade the force of those obligations.

Resolved, That such a course is a violation of that good faith and high moral principle which should regulate the conduct alike of governments and individuals, and that it leaves upon the character of the government that resorts to it, a stain which nothing but a return to the path of honesty and rectitude, or an indefinite lapse of time, can wipe away.

Resolved, That his Excellency the Governor be requested to transmit a copy of the foregoing resolutions to the Executive of each of the several States.

REPORT AND RESOLUTIONS RELATIVE TO REDUCING POSTAGES AND ABRIDGING THE FRANKING PRIVILEGE.

The committee to whom were referred the documents communicated to the Senate by his Excellency the Governor, at the commencement of the session, from the Legislatures and the Executives of other States of the Union, having had under consideration the following resolutions adopted by the Senate and House of Representatives of the State of New York, on the ninth of April last, and transmitted to the Governor of this State, to be laid before the Legislature thereof, to wit:

"STATE OF NEW YORK.

"*Resolved*, as the sense of this Legislature, That the franking privilege, tolerated by the post office law of the United States, is a monopoly unsuited to the spirit of the age, subject to enormous abuses, and an unreasonable burden to the few letter correspondents that bear the principal expense of the establishment, and ought to be abolished.

"*Resolved*, That for the purpose of diminishing the burdens of correspondents, increasing the revenues of the post office establishment, and restoring the community, rich and poor, to an equal participation in its benefits, letter postage ought to be greatly reduced, and the disparity between the charge of letters and other matter carried in the mail, corrected.

"*Resolved*, That our Representatives and Senators in Congress be respectfully requested to use their best endeavors to procure a reform in the post office laws, based on the above views.

"*Resolved*, That the Executive of this State be respectfully requested to transmit copies of the foregoing resolutions to the Senators and Representatives of this State in Congress, and also to the Executives of our sister States, with a view to their being laid before their legislative bodies."

Respectfully report the following resolutions, which they recommend for adoption:

Resolved, by the Senate and House of Representatives of the State of Vermont, That they do concur in the said resolutions above recited; and that our Representatives and Senators in Congress be respectfully requested, to use their best endeavors to procure a reform in the post office laws, in conformity with the above views.

Resolved, That the Executive of this State be respectfully requested to transmit copies of the foregoing report and resolutions to the Senators and Representatives of this State in Congress, and also to the Executives of our sister States, with the view to their being laid before their respective legislative bodies.

P. STARR, *for committee.*

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JOURNAL

OF THE

HOUSE—1842.

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF VERMONT,

OCTOBER SESSION,

1842.

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1842.

JOURNAL.

AGREEABLY to the provisions of the constitution and laws of the State of Vermont, the House of Representatives convened at the State House in Montpelier, on the second Thursday, being the thirteenth day of October, in the year of our Lord Christ one thousand eight hundred and forty-two.

At ten o'clock in the forenoon, CHAUNCEY L. KNAPP, Esq., deputy and acting Secretary of State, having called to order, proceeded to call the names of the members who had presented their credentials; and the following named members were present, were duly sworn, and took their seats, —namely:

BENNINGTON COUNTY.

Arlington,	Harmon Canfield,	*Rupert*,	Seth Sheldon,
Bennington,	Perez Harwood jr.,	*Sandgate*,	Roswell Tuttle,
Dorset,	William S. Martindale,	*Searsburgh*,	Joseph Eames,
Glastenbury,	John H. Mattison,	*Shaftsbury*,	Nahum Wheelock,
Landgrove,	David Wiley,	*Stamford*,	James Houghton,
Manchester,	John S. Pettibone,	*Sunderland*,	Michael Judson,
Pownal,	Noel Barber,	*Winhall*,	Beriah Wheeler,
Peru,	Freeman Lyon,	*Woodford*,	William Park,

WINDHAM COUNTY.

Athens,	John Austin,	*Putney*,	Henry H. Barton,
Brattleboro',	Lafayette Clark,	*Rockingham*,	John S. Fullerton,
Brookline,	Hiram Whitney,	*Somerset*,	Ephraim Rice,
Dover,	William H. Jones,	*Stratton*,	John N. Glazier,
Dummerston,	Reuben Smeed,	*Townshend*,	James McM. Shafter,
Grafton,	William Whitcomb,	*Vernon*,	Ebenezer Howe jr.,
Guilford,	Elihu Field,	*Wardsboro'*,	Lyman W. Johnson,
Halifax,	William H. Stark,	*Westminster*,	Joel Page,
Jamaica,	Solomon Newell,	*Whitingham*,	Harvey Brown,
Londonderry,	Peter C. Atwood,	*Windham*,	William Harris,
Newfane,	Walter Eager,		

RUTLAND COUNTY.

Benson,	Edward S. Howard,	*Mendon*,	Samuel Caldwell,
Brandon,	Nathan T. Sprague,	*Middletown*,	Caleb B. Harrington,
Castleton,	William Sanford,	*Mount Holly*,	Russell Barber,
Clarendon,	Philip Briggs,	*Mount Tabor*,	Rufus H. F. Hill,
Chittenden,	Dan B. Bogue,	*Orwell*,	Roswell Bottum jr.
Danby,	Ira Edmonds,	*Pawlet*,	Hiel Hollister,
Fairhaven,	Barnabas Ellis,	*Pittsfield*,	Daniel Bowe,
Hubbardton,	James Flagg,	*Pittsford*,	Samuel H. Kellogg,
Ira,	Russell Fish,	*Poultney*,	William P. Noyes,

Rutland,	Luther Daniels,	*Wallingford,*	John Fox,
Sherburne,	Solomon W. Adams,	*Wells,*	John Barden,
Shrewsbury,	Benjamin T. Needham,	*West Haven,*	William H. Green.
Tinmouth,	John Cobb,		

WINDSOR COUNTY.

Andover,	Solomon Howard,	*Pomfret,*	Gardner Winslow,
Baltimore,	William Davis,	*Reading,*	John Wheeler,
Barnard,	Hiram Aiken,	*Rochester,*	Barna Cooper,
Bethel,	Thomas P. Russell,	*Royalton,*	John L. Bowman,
Bridgewater,	Alvan Lamb,	*Sharon,*	Lyman Tyler,
Cavendish,	Zenas F. Hyde,	*Springfield,*	Ormus M. Whipple,
Chester,	Hugh H. Henry,	*Stockbridge,*	Paul W. Gay,
Hartford,	Shubel Russ,	*Weathersfield,*	Augustus Tuttle,
Hartland,	Daniel Denison,	*Weston,*	Solon Richardson,
Ludlow,	Benjamin Billings,	*Windsor,*	Allen Wardner,
Norwich,	Ira Davis,	*Woodstock,*	Andrew Tracy,
Plymouth,	Levi Slack,		

ADDISON COUNTY.

Addison,	Jonas N. Smith,	*Monkton,*	Nathan Smith,
Bridport,	Abel P. Skiff,	*New Haven,*	Alfred P. Roscoe,
Bristol,	Royal W. Peake,	*Panton,*	Silas Pond,
Cornwall,	Daniel Sandford,	*Salisbury,*	Franklin Bump,
Ferrisburgh,	Nathan L. Keese,	*Shorcham,*	Kent Wright,
Goshen,	Rufus Towle,	*Starksboro',*	Theron H. Kidder,
Granville,	Joseph B. Ball,	*Vergennes,*	Enoch D. Woodbridge,
Hancock,	Charles G. Robbins,	*Waltham,*	Charles Bacon,
Leicester,	John G. Perry,	*Weybridge,*	Philo Jewett,
Lincoln,	Isaac I. Caldwell,	*Whiting,*	Justus F. Brown,
Middlebury,	Joseph Warner,		

ORANGE COUNTY.

Bradford,	Alvan Taylor,	*Strafford,*	Daniel Cobb,
Braintree,	Elijah Flint,	*Thetford,*	Harry H. Niles,
Chelsea,	Levi B. Vilas,	*Topsham,*	Charles Grow,
Corinth,	Reuben Page jr.,	*Tunbridge,*	Elizur H. Foster,
Fairlee,	Zebulon Norris,	*Vershire,*	Stillman T. Wiggins,
Newbury,	William H. Carter,	*Washington,*	John Emery,
Orange,	Carlos Carpenter,	*West Fairlee,*	Elisha May,
Randolph,	William Hebard,	*Williamstown,*	Enoch Howe,

CHITTENDEN COUNTY.

Bolton,	Moses L. Colton,	*Milton,*	Samuel Boardman,
Burlington,	John Van Sicklen,	*Richmond,*	Sylvanus Douglass,
Charlotte,	Burke Leavenworth,	*Shelburne,*	Robert White,
Colchester,	John S. Webster,	*St. George,*	Reuben Lockwood,
Essex,	Elijah G. Stanton,	*Underhill,*	Hawley A. Naramore,
Hinesburgh,	Heman R. Smith,	*Westford,*	Daniel Jackson,
Huntington,	Selah Ambler,	*Williston,*	Nathaniel Parker,
Jericho,	Zebina Bliss,		

WASHINGTON COUNTY.

Barre,	Leonard Keith,	*Monroe,*	Ira McLoud,
Berlin,	Parley Foster,	*Northfield,*	Nathan Morse,
Duxbury,	Lyman C. Turner,	*Plainfield,*	Mark M. Page,
Fayston,	John C. Griggs,	*Roxbury,*	Allen Spalding,
Marshfield,	Horace Hollister,	*Waitsfield,*	Hiram Jones,
Middlesex,	Horace Holden,	*Warren,*	Artemas Cushman,
Montpelier,	Addison Peck,	*Waterbury,*	Henry Douglass,
Moretown,	Michael B. Taplin,	*Worcester,*	Moses Folsom.

CALEDONIA COUNTY.

Barnet,	William Lackie,	*Peacham,*	Ezra C. Chamberlin,
Burke,	Lucius Denison,	*Ryegate,*	Robert Whitelaw,
Cabot,	Alpha Webster,	*Sheffield,*	John P. Ingalls,
Danville,	Asa Morrill,	*St.Johnsbury,*	Huxham Paddock,
Groton,	Jonathan Welch,	*Sutton,*	Stephen Eaton,
Hardwick,	John L. Pope,	*Walden,*	Nathaniel Perkins jr.
Kirby,	Nathaniel Willis,	*Waterford,*	Royal Ross,
Lyndon,	Benaiah Sanborn,	*Wheelock,*	Hiel Bradley.
Newark,	Alpheus Stoddard,		

FRANKLIN COUNTY.

Bakersfield,	Holloway T. Brigham,	*Georgia,*	Lorenzo Janes,
Berkshire,	Joseph Smith,	*Highgate,*	John Barr,
Enosburgh,	Horatio N. Barber,	*Montgomery,*	Joshua Clapp,
Fairfax,	Asa S. Gove,	*Richford,*	Jay Powell,
Fairfield,	Joseph Soule,	*Sheldon,*	Elihu Goodsill,
Fletcher,	Joseph Ellsworth jr.,	*St. Albans,*	Cornelius Stilphen,
Franklin,	Dolphus Dewing,	*Swanton,*	John Barney.

LAMOILLE COUNTY.

Belvidere,	Jere Shattuck,	*Mansfield,*	James Harris,
Cambridge,	Joseph Baker,	*Morristown,*	George Small,
Eden,	Eli Hinds jr.,	*Stow,*	Zebina W. Bennett,
Elmore,	George W. Bailey,	*Waterville,*	Osgood McFarland,
Hydepark,	Almond Boardman,	*Wolcott,*	Ephraim Ladd,

ORLEANS COUNTY.

Albany,	William Rowell,	*Jay,*	Walter Charlton,
Brownington,	Gilman Esty,	*Lowell,*	William S. Flint,
Charleston,	Ira Brackett,	*Morgan,*	Charles Cummings,
Craftsbury,	Daniel Dustin,	*Newport,*	Asa B. Moore,
Derby,	Stoddard B. Colby,	*Orleans,*	Thomas Guild,
Glover,	James Simonds,	*Salem,*	Samuel Blake,
Greensboro'	Nathan W. Scott,	*Troy,*	Curtis Phelps,
Holland,	Joshua French,	*Westmore,*	John M. Kibby,
Irasburgh,	Charles W. Prentiss,	*Westfield,*	Jere Hodgkins,

ESSEX COUNTY.

Bloomfield,	Henry Fuller,	*Canaan,*	William Morrill,
Brunswick,	George Marshall,	*Concord,*	Nathan J. Graves,

Granby,	Henry Hartshorn,	*Lunenburgh*,	Jonah Brooks jr.,
Guildhall,	Allen Gould,	*Maidstone*,	Leonard Walker,
Lemington,	John Bailey,	*Victory*,	Loomis Wells.

GRAND ISLE COUNTY.

Alburgh,	Nathan Kinsley,	*North Hero*,	Jedediah Hazen,
Grand Isle,	Jabez Ladd,	*South Hero*,	Wallis Mott.
Isle La Mott,	Ephraim A. Holcomb,		

The acting Secretary of State laid before the House a paper purporting to be the credentials of a representative elect from the town of Readsboro', stating that the objections to its validity were such as to induce him to submit said paper to the decision of the House.

Said paper was a certificate of the election of Jonathan Houghton as the representative of the town of Readsboro', signed by the first constable of said town, in legal form, with the following certificate included therein:

"I hereby certify that Jonathan Houghton has not resided in Readsboro' one year next preceding his election."

Mr. Harrington moved that said Jonathan Houghton be admitted to a seat in the House.

Mr. Page of Westminster moved to lay said motion on the table.

And the question being taken, it passed in the affirmative.

Mr. Abdiel Kent, the representative from the town of Calais, presented his credentials, was sworn, and took his seat.

On motion of Mr. Tracy, Mr. Elias Aldrich, the representative elect from the town of Brighton, was admitted to a seat in the House, without producing his credentials; and he was sworn, and took his seat.

The House proceeded to the election of a Speaker for the year ensuing.

And the ballots having been taken and examined by the tellers, the

HON. ANDREW TRACY,

the representative from the town of Woodstock, was duly elected and sworn.

The House proceeded to the election of a Clerk *pro tempore*.

And the ballots having been taken and examined by the tellers,

FERRAND F. MERRILL

was duly elected and sworn.

On motion of Mr. Cobb of Strafford,

Ordered, That the rules of the last session be the rules of the House until others are adopted.

The Speaker nominated, and the House appointed, the following gentlemen a committee, on the part of the House, to canvass the votes for Governor, Lieutenant Governor, and Treasurer, for the year ensuing, namely:

Bennington County.—Messrs. Tuttle, Barber, Wheeler.
Windham County.—Messrs. Harris, Eager, Clark.
Rutland County.—Messrs. Sprague, Harrington, Noyes.
Windsor County.—Messrs. Wardner, Davis of Norwich, Denison.
Addison County.—Messrs. Warner, Jewett, Wright.
Orange County.—Messrs. Carpenter, Taylor, Emery.
Chittenden County.—Messrs. Van Sicklen, Parker, Smith.
Washington County.—Messrs. Cushman, Peck, Morse.

Caledonia County.—Messrs. Chamberlin, Morrill, Denison.
Franklin County.—Messrs. Barber, Smith, Janes.
Lamoille County.—Messrs. Bailey, Bennett, Hinds.
Orleans County.—Messrs. Prentiss, Colby, Dustin.
Essex County.—Messrs. Graves, Wells, Brooks.
Grand Isle County.—Messrs. Mott, Hazen, Kinsley.

On motion of Mr. Warner,

Resolved, That when the House adjourn, it will adjourn to meet at three o'clock this afternoon.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—A quorum of the Senate have assembled and organized, and are ready to proceed to business.

The Senate have, on their part, appointed a Canvassing Committee to canvass the votes for Governor, Lieutenant Governor, and Treasurer, for the year ensuing.

They have passed a resolution for a joint assembly to hear the report of the Canvassing Committee, in which they ask the concurrence of the House of Representatives.

A resolution from the Senate:

Resolved, by the Senate and House of Representatives, That both Houses meet in joint assembly this afternoon, at three o'clock, to hear the report of the Canvassing Committee.

Which was read and passed in concurrence.

The House adjourned.

AFTERNOON.

Mr. Kellogg introduced the following resolution:

Resolved, That it is the privilege of this House daily to seek the divine blessing in the discharge of its important duties, and that the Speaker be requested to invite the several officiating clergymen of the village of Montpelier to attend with us, in rotation, for that purpose.

Which was read and passed.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—The Senate have passed a resolution providing for the publication of the legislative directory, in which they request the concurrence of the House of Representatives.

A resolution from the Senate:

Resolved, by the Senate and House of Representatives, That the Secretary of the Senate and the Clerk of the House procure to be published, in pamphlet form, for the use of the members, four hundred copies of the legislative directory, embracing the usual matter, except the joint rules and the rules of the two Houses.

Which was read and ordered to lie on the table, on motion of Mr. Cobb of Strafford.

Mr. Fox introduced the following resolution:

Resolved, That the Clerk of the House be directed to furnish each member of the House with one daily and one weekly newspaper, printed in this Village, to be selected by said members, and delivered at their respective boarding houses, as soon as printed.

Which was read and passed.

On motion of Mr. Cobb of Strafford, the House proceeded to consider the resolution from the Senate, relative to the legislative directory, which had this afternoon been ordered to lie on the table; and said resolution, on motion of Mr. Cobb of Strafford, was amended, by erasing the word "*except*," and inserting in lieu thereof the word "*with*."

And the resolution, as thus amended, was concurred in.

Mr. Vilas introduced the following resolutions:

Resolved, by the Senate and House of Representatives, That our Senators in Congress be instructed, and our Representatives requested, to use their best exertions and influence to procure the repeal of the act passed at the extra session in 1841, entitled "an act establishing a uniform system of bankruptcy throughout the United States."

Resolved, That his Excellency the Governor be requested to transmit a copy of the foregoing resolution to each of our Senators and Representatives in Congress.

Which were read, and on motion of Mr. Vilas,

Ordered, That said resolutions lie on the table, and be made the order of the day for Monday morning next.

Mr. Stilphen moved to reconsider the vote passed this afternoon, adopting the resolution providing for furnishing the members of the House with newspapers.

And the question being taken, it was decided in the negative.

(H. 1.) Mr. Davis of Norwich, on leave, introduced a bill entitled "an act to repeal an act therein mentioned;"

Which was read the first time and referred to the Committee on Military Affairs.

Mr. Sprague introduced the following resolution:

Resolved, by the Senate and House of Representatives, That the members of both Houses meet in conventions on Friday next, at three o'clock, P. M., to nominate county officers; and that both Houses meet in joint assembly on Saturday next, at ten o'clock, A. M., to make the county appointments.

Which was read, and ordered to lie on the table.

On motion of Mr. Cobb of Strafford,

Ordered, That his Excellency the Governor be informed, by written message, of the organization of the House.

(H. 2.) Mr. Slack, on leave, introduced a bill entitled "an act to repeal an act in amendment of section 63 of Chapter 28 of the Revised Statutes;"

Which was read the first time and referred to the Judiciary Committee.

(H. 3.) Mr. Davis of Norwich, on leave, introduced a bill entitled "an act in amendment of section 63 of Chapter 28 of the Revised Statutes;"

Which was read the first time and referred to the Judiciary Committee.

The House adjourned.

FRIDAY, OCT. 14, 1842.

Prayer by Rev. John Gridley.

The journal of yesterday was read.

The Speaker announced the following appointments of officers of the House, made by the Sergeant-at-Arms, and approved by him:

SHUBAEL B. FLINT, *Door-Keeper.*
LUMAN RUBLEE,
FREDERICK A. GARFIELD, } *Attendants.*
JOHN M. FOX,
CHARLES DEWEY, *Messenger.*

The Speaker also announced the appointment of the following committee:

Committee on Rules.—Messrs. Hebard, Canfield, Pettibone.

On motion of Mr. Vilas, the House proceeded to consider the resolution, introduced yesterday by Mr. Sprague, which had been ordered to lie on the table: said resolution was read, as follows:

Resolved, by the Senate and House of Representatives, That the members of both Houses meet in conventions on Friday next, at three o'clock, P. M., to nominate county officers; and that both Houses meet in joint assembly on Saturday next, at ten o'clock, A. M., to make the county appointments.

Mr. Van Sicklen moved to amend said resolution by striking out the word "*Friday*" and inserting the word "*Monday,*" and by striking out the word "*Saturday*" and inserting the word "*Tuesday.*"

And the question being put, it passed in the affirmative.

And the resolution, thus amended, passed.

(H. 4.) Mr. Pettibone, on leave, introduced a bill entitled "an act regulating imprisonment for debt;"

Which was read the first time and referred to the Judiciary Committee.

(H. 5.) Mr. Van Sicklen, on leave, introduced a bill entitled "an act to repeal an act in amendment of section 63 of Chapter 28 of the Revised Statutes;"

Which was read the first time and referred to the Judiciary Committee.

(H. 6.) Mr. Pettibone, on leave, introduced a bill entitled "an act in addition to Chapter 29 of the Revised Statutes;"

Which was read the first time and referred to the Judiciary Committee.

(H. 7.) Mr. Van Sicklen, on leave, introduced a bill entitled "an act to repeal part of Chapter 83 of the Revised Statutes;"

Which was read the first time and referred to the Judiciary Committee.

Mr. Hazen introduced the following resolution:

Resolved, by the Senate and House of Representatives, That both Houses meet in joint assembly on Tuesday next, at ten o'clock in the forenoon, to elect Judges of the Supreme Court for the year ensuing.

Which was read; and, on motion of Mr. Warner,

Ordered, That said resolution be made the order of the day for tomorrow morning.

On motion of Mr. Canfield,

The House proceeded to the election of a Clerk for the year ensuing.

And the ballots having been taken and examined by the tellers,

FERRAND F. MERRILL

was duly elected and sworn.

On motion of Mr. Bailey of Elmore,

The House proceeded to the election of an Assistant Clerk.

And the ballots having been taken and examined by the tellers,

JOSEPH POLAND

was duly elected.

On motion of Mr. Cushman,

The House proceeded to elect an Engrossing Clerk.

And the ballots having been taken and examined by the tellers,

AMBROSE L. BROWN

was duly elected and sworn.

(H. 8.) Mr. Pettibone, on leave, introduced a bill entitled "an act to repeal section 38 of Chapter 80 of the Revised Statutes;"

Which was read the first time and referred to the Committee on Banks.

Mr. Davis of Norwich introduced the following resolution:

Resolved, That the Distributing Committee for each county, in the distribution of all documents and papers furnished them for that purpose, be directed to furnish one copy of each of said documents or papers to each member from a town whose population exceeds fourteen hundred, and that the remainder be divided among the members from the smaller towns.

Which was read, and ordered to lie on the table, on motion of Mr. Canfield.

The petition of Reuben Stevens and others, in relation to the militia laws, was referred to the Committee on Military Affairs.

Mr. Hebard, from the Committee on Rules, reported the following

RULES OF THE HOUSE OF REPRESENTATIVES.

SEC. 1. The House shall meet every day, (Sundays excepted,) at nine o'clock in the morning, and at two o'clock in the afternoon, unless otherwise specially ordered.

OF COMMITTEES.

SEC. 2. At the commencement of each session the following committees shall be appointed, viz:

A Committee of three members to report rules of the House.

A Committee consisting of seven members, who shall take into consideration all matters relating to the election of the members; to be denominated the Committee of *Elections*.

A Committee consisting of five members, who shall take into consideration all matters affecting the revenue of the State—shall, from time to time, inquire into the state of the Treasury; ascertain the amount of debts due to the State, and the claims against it; report the amount of taxes necessary to be raised for the support of Government, and inquire whether any, and if any, what measures ought to be adopted the better to equalize the public burdens, secure the accountability of public agents, and otherwise improve the financial concerns of the State; to be denominated the Committee of *Ways and Means*.

A Committee consisting of five members, who shall take into consideration all matters relating to the militia; to be denominated the Committee on *Military Affairs*.

A Committee consisting of five members, who shall take into consideration all matters relating to the Judiciary; to be denominated the *Judiciary Committee.*

A Committee consisting of five members, who shall take into consideration all claims against the State; to be denominated the Committee of *Claims.*

A Committee consisting of five members, who shall take into consideration all matters relating to Roads; to be denominated the Committee on *Roads.*

A Committee consisting of five members, who shall take into consideration all matters relating to Banks; to be denominated the Committee on *Banks.*

A Committee consisting of five members, who shall take into consideration all matters relating to Insolvency; to be denominated the Committee of *Insolvency.*

A Committee consisting of five members, who shall take into consideration all matters relating to Domestic Manufactures; to be denominated the Committee on *Manufactures.*

A Committee consisting of five members, who shall take into consideration all matters relating to Agriculture; to be denominated the Committee of *Agriculture.*

A Committee consisting of five members, who shall take into consideration all matters relating to Land Taxes; to be denominated the *Land Tax Committee.*

A Committee of two members from each county, to make up the Grand List.

A Committee of one member from each county, to take into consideration all subjects referred to a member of each county; to be denominated the *General Committee.*

A Committee of five members, to take into consideration all literary and scientific subjects; to be denominated the Committee on *Education.*

A Committee of one member from each county, whose duty it shall be to receive and distribute all public documents and papers, printed for the use of the members; to be denominated the *Distributing Committee.*

A Committee consisting of five members, to take into consideration all matters relating to the State Prison, to be denominated the *Committee on the State Prison.*

A Committee consisting of three members, to be denominated the *Committee of Revision;* to whom every bill of a public nature, originating in this House, shall be submitted before it is reported to the House by a committee; and, in case it shall be altered or amended in the House, before it is engrossed for a third reading; and whose duty it shall be to examine and revise the same, and compare it with the existing laws; and the said Committee shall have power to make any alteration in the form and language, without proposing such alterations or amendments.

Sec. 3. No Committee shall sit during the session of the House, without leave from the House.

Sec. 4. All Committees shall have a right to report by bill.

Sec. 5. All Committees shall be made by the Speaker, but any appointment made by him, may, on motion of a member, be overruled by the House; in which case the House shall, on the nomination of a member, immediately fill the vacancy.

Sec. 6. Any member may excuse himself from serving on any commit-

tee, if, at the time of his appointment, he shall be a member of two other committees.

SEC. 7. When the House shall have ordered the appointment of a Committee, the Speaker shall be entitled to one recess of the House, in which to make the appointment.

OF THE RIGHTS AND DUTIES OF THE SPEAKER AND OTHER MEMBERS.

SEC. 8. The Speaker shall take the Chair at the hour to which the House stands adjourned, and when a quorum shall have assembled, he shall call to order and proceed to business; causing the journals of the preceding day to be read at the opening of the House on each day, unless otherwise ordered by the House. He shall preserve order, and may speak on all questions of order in preference to any other member, rising from his seat for that purpose; and shall decide on all questions of order, subject to an appeal to the House.

SEC. 9. In case of any disturbance or disorderly conduct in the gallery or lobby, the Speaker may cause the same to be cleared.

SEC. 10. If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any other member may call to order, in which case the member so called to order shall immediately sit down, unless permitted to explain, and the House shall, if appealed to, decide the same without debate. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, and the case require, he shall be liable to the censure of the House.

SEC. 11. No member shall speak more than twice to the same question without permission from the House; nor shall he speak the second time while the floor is claimed by a member who has not spoken to the question under consideration.

SEC. 12. No member shall absent himself from the service of the House unless he have leave of absence, is sick, or unable to attend.

SEC. 13. The yeas and nays shall be ordered to any question, on motion of a member; and when taken, and also on a division of the House, every member present shall vote, unless excused by the House; but no member shall be compelled to vote who was not present when the question was stated from the chair, nor shall any one, in taking the yeas and nays, be permitted to vote who was not present when his name was called.

SEC. 14. No member in the minority, or who did not vote on any question, shall have a right to move for reconsideration thereof, nor shall a motion for reconsideration be in order, unless made within twenty-four hours after the passing of such vote.

SEC. 15. Every member, on presenting a resolution, shall state, shortly, the object of it, and shall be held responsible for the propriety of expression therein used.

SEC. 16. Every motion shall be reduced to writing by the mover, if required by the Speaker, or any other member.

SEC. 17. The Speaker shall have a right to call upon any member to discharge the duties of the chair, whenever, from indisposition, or other cause, he shall find it necessary temporarily to retire from it; and when the House shall have resolved to go into committee of the whole, the Chairman shall be named by the Speaker.

SEC. 18. All petitions shall be referred to a committee without reading, unless the reading be demanded by a member.

SEC. 19. The House, having decided on any question, it shall not again be brought before the House in any form whatever, during the same session.

SEC. 20. When a motion shall be made for a call of the House, the call shall be ordered, if said motion is sustained by a majority of the members present.

SEC. 21. No motion to amend the rules of the House shall be acted upon until it shall have been before the House at least twenty-four hours.

THE ADMISSION OF PERSONS WHO ARE NOT MEMBERS.

SEC. 22. The Governor, Lieut. Governor, the Treasurer and Secretary of State, and members of the State Senate, Senators and members of Congress, the Judges of the Supreme Court, the District Judge, Attorney and Marshall of the United States, and such as have previously held those offices; the members of the Council of Censors; the clergy, and such as may be introduced by a member, shall be admitted to seats on the floor of the House.

SEC. 23. Counsel may be admitted to advocate any cause, if permitted by three fourths of the members present.

BILLS.

SEC. 24. No bill shall be introduced, except reported by a committee, or with leave of the House.

SEC. 25. No bill shall pass the House until it shall have been read three several times, the last of which shall be at least twenty-four hours after the first reading, and the second and third readings of all the bills of a public nature, shall be ordered for some particular day.

SEC. 26. Every bill shall be engrossed before it is read a third time, and at the third reading it shall not be amended in the House, unless by unanimous consent; but it may be committed for amendment.

SEC. 27. All private bills shall be read a second time by their titles only, unless the reading shall be called for by a member.

MOTIONS.

SEC. 28. A motion to adjourn shall be always in order, and shall be determined without debate.

SEC. 29. Motions on bills and resolutions shall be sustained in the following order:

1. To dismiss.
2. To postpone to a day certain.
3. To lay on the table.
4. To commit.
5. To amend.

Which were adopted as the rules of the House.

The Speaker laid before the House the following communication from the Governor, which was read:

To the House of Representatives:

I have the honor to inform you that I propose to take the oaths of office which the Constitution prescribes for the Governor of this State, in the Executive Chamber, at two o'clock, and to make my annual communication to the General Assembly, at three o'clock, this afternoon.

CHARLES PAINE.

EXECUTIVE CHAMBER,
October 14, 1842.

The House adjourned.

AFTERNOON.

Mr. Harris Smith, the representative from the town of Barton, presented his credentials, was sworn, and took his seat.

(H. 9.) Mr. Mott, on leave, introduced a bill entitled "an act to amend section 7 of Chapter 49 of the Revised Statutes;"

Which was read the first time and referred to the Judiciary Committee.

(H. 10.) Mr. Rice, on leave, introduced a bill entitled "an act in amendment of Chapter 107 of the Revised Statutes;"

Which was read the first time and referred to the General Committee.

(H. 11.) Mr. Cushman, on leave, introduced a bill entitled "an act to repeal section 2 of Chapter 29 of the Revised Statutes;"

Which was read the first time and referred to the Judiciary Committee.

Mr. Canfield introduced the following resolution:

Resolved, by the Senate and House of Representatives, That a joint committee of three members of the Senate and three members of House of Representatives, beappointed by their respective Houses, to report joint rules.

Which was read and passed.

The petition of Thomas R. Robinson and others, upon the subject of slavery, was read, and referred to the Judiciary Committee, on motion of Mr. Woodbridge.

The Speaker laid before the House the following communication from the Governor, which was read:

To the House of Representatives:

I have the honor to inform you that I have appointed Mr. Henry Hale Secretary of Civil and Military Affairs, for the year ensuing.

CHARLES PAINE.

EXECUTIVE CHAMBER,
Octo. 14, 1842.

The petition of Rowland T. Robinson and others, for the abolition of capital punishment, was referred to the Judiciary Committee.

A message from the Senate, by Mr Clarke, their Secretary:

MR. SPEAKER:—The Senate concur with the House of Representatives in passing the resolution for nominating and appointing county officers.

The Speaker laid before the House the following communication from the President of the Senate, which was read:

SENATE CHAMBER,
Octo. 14, 1842.

SIR:—

I have the honor to inform you that the Senate have elected DeWitt C. Clarke Secretary, and Edward A. Stansbury Assistant Secretary, for the year ensuing.

I am, with great respect,
Yours &c.,
W. R. RANNEY,
President of the Senate.

HON. ANDREW TRACY,
Speaker of the House of Representatives.

The remonstrance of John Hicks against the election of John H. Mattison, the returned member from Glastenbury, was referred to the Committee on Elections.

On motion of Mr. Shafter, the vote of yesterday passing the resolution from the Senate, providing for the publication of the legislative directory, was reconsidered.

Said resolution was amended, on motion of Mr. Canfield, by striking out the word "*four*" and inserting in lieu thereof the word "*six*," thereby providing for the publication of *six hundred* copies of said directory.

And the resolution, thus amended, passed.

The petition of M. L. Langdon and others was referred to the Committee on Banks.

(H. 12.) Mr. Warner, on leave, introduced a bill entitled "an act in alteration of Chapter 25 of the Revised Statutes;"

Which was read the first time and referred to the Judiciary Committee.

The petition of Joseph B. Harwood was referred to the Committee of Claims.

The petition of R. Estabrooks and others, in relation to the militia law, was referred to the Committee on Military Affairs.

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

Mr. Speaker:—I am directed to transmit to the House of Representatives the annual message of his Excellency the Governor to the General Assembly.

Which message was read, and is as follows:

Fellow-Citizens of the Senate and House of Representatives:

It affords me much pleasure again to meet you in these halls of legislation, to deliberate upon the welfare of the people of this state, and to make such provisions for their improvement as your wisdom may devise. Since we were last assembled here, our whole country has been in the enjoyment of all the blessings which a bountiful Providence could bestow, and the year has been distinguished by several events which can hardly fail to add to the general prosperity and happiness.

In a spirit of mutual concession and forbearance, the Governments of the United States and Great Britain have, by treaty, succeeded in removing those causes of discord and animosity between the two countries, which had become so alarming, and in laying the foundation for a wise and, I trust, a lasting peace. The negociation of this treaty, conducted, as it has been, with a view to the good of man rather than for the gratification of his passions, is an honor to the age and to the nations engaged in it.

The great interests of our beloved country have also been rescued from the destruction which seemed impending over them, by the wise and magnanimous efforts of Congress to secure a Tariff of duties adequate to protect them. When we look back upon the strife of elements, from which have proceeded the blessings of peace and protection to domestic industry, the two greatest interests, perhaps, which it is the duty of the national government to guard, we find abundant cause for gratitude towards the Disposer of the hearts of men.

We have now every reason to hope that the prosperity of the country

will begin again to revive; nor can we be in immediate danger of repeating those experiments upon it, the fruits of which have already been so bitter. Experience, so dearly purchased, cannot have failed to teach us wisdom and prudence for the future. The trials of adversity, and especially those which are self-inflicted, have their uses for nations not less than for individuals. We have only to look back upon what we have suffered, and upon what we might have enjoyed, to learn the extent of our blindness and folly.

But we should greatly err, in our review of the past, were we to impute all the blame to our rulers. It was ourselves, individually, who were first at fault. We had become too insensible of the inestimable advantages of self government, and of the unceasing watchfulness and activity which such government always demands of those who would enjoy it. We have perhaps yet to learn how eminently, above all other nations, we are blessed in our form of government; but we certainly ought to have discovered, by this time, that, whether we are well or ill governed, must depend wholly on ourselves. If we have intelligence, activity, and energy enough to place and keep in power honest and able rulers, political self-government is undoubtedly the best form of which we have any knowledge; but if we have not these qualities, it is probably the worst. Self-government arms us, for our protection, with the right of suffrage and with the power of enlightening and improving our fellow-men. These have been given us, not to be thrown aside, or neglected at our pleasure, but to be preserved and cherished, as the choicest rights of freemen, and to be diligently and perseveringly used on all occasions. The destinies of our beloved country are, in some degree, in the hands of each one of us, and not only the destinies of our own country, but those of the human race. On our shores liberty has unfurled her standard. If she find sons here worthy to bear it, it will not only continue to wave over our own heads, but it will stand as a signal to other nations. Let us not then be unmindful of our high responsibilities: but let us place our duties to our country and her institutions next after those to religion and our Maker.

In looking back upon the events of the past year, we find reason to be grateful not only that we have escaped the dangers of a foreign, but the horrors of a civil war. Incredible as it may appear, in an age and country like ours, but a few months have elapsed, since, almost in our own neighborhood, sons have been armed against fathers, and brothers against brothers, and trains of artillery have been pointed with deadly intent, while accident alone has prevented the lighting of the match which might have deluged our whole country in blood. I shudder to think that the spirit of party has, so soon, and with so little cause, involved us in a scene like this. The danger we have but just escaped is the greatest and most appalling with which we have been threatened since we became a nation. It was neither imaginary, nor uncertain in magnitude. It attempted to conceal the odious features of rebellion, and assume the more attractive form of justifiable revolution. In this disguise it appeared to, and enlisted the sympathies of those, who had originally no concern with it, and it was then, and not before, that it became the cause of general and well grounded alarm. However we may be divided by state lines, when internal or external wars are threatened, we are but one people. Whatever may be the cause of rebellion, or revolution, in a single state, its consequences can never be confined within its own limits. They will extend throughout the land, and involve, eventually, every member of the Con-

federacy. The flames of civil war are not likely to be lighted up by rebellion against the general government. That has been armed with powers which are abundantly sufficient to quell domestic insurrection. But our peaceful state sovereignties, although authorised to inflict the penalties for treason, are not sufficiently provided against the exigencies of rebellion. Unless, therefore, the general government promptly interferes, under its constitutional power, to suppress it, rebellion against our state governments is the most probable cause which exists of a general civil war.

After escaping from danger, it is natural to look back, that we may see how it occurred, and how it can be avoided for the future. When the colonies, which now form the oldest thirteen states of the Union, separated from the mother country, they generally adopted written constitutions of government, with the right of suffrage more or less restricted, but in none of them universal, and in several, colonial inequalities of representation were preserved. When written constitutions were adopted, they, in most instances, provided modes for their own amendment.

Rhode Island, however, satisfied with the existing form of government, did not adopt a written constitution. On our separation from Great Britain, therefore, the laws of the legislature of that state became the supreme law, and the power of government could not be changed without an act of the legislature, or by revolution. Any change which should be made, however peaceably, unless by law, would, of course, be a revolution, as it would be putting down the existing government, without its own consent, and substituting another in its place.

In all the old states, inequalities in the right of suffrage and representation continued to exist unaltered, till within about twenty years past, unattended by serious complaint, and certainly without the thought of revolution. About that time, in some few of the states, public opinion demanded a change, and a change was accordingly made, without difficulty or violence. In other states, where peaceable modes of altering the constitution are provided, inequalities, nearly or quite as great as those complained of in Rhode Island, have been allowed to exist to this day. In our own state even, unshackled by colonial restraints, we voluntarily formed and have continued a government, whose inequalities of representation are probably equal to those, which, in Rhode Island, were thought to justify a revolution, and that, too, by the sword. But such a revolution can only be justified when the evils of government have become oppressive and intolerable, and when all hope of milder remedies is lost. Such was not the state of things in our sister state, at the time a portion of her citizens thought proper to raise the standard of civil war. We heard no complaints of misgovernment, nor of the suffering of any portion of her people. They were in full possession of the same free government they had always enjoyed, and of the civil rights which are universal in the country. It is true their political privileges were not equal. Some towns had a greater proportion of representation than others, and there were property qualifications for voters. These were the evils, and all the evils complained of.

If it is to be granted, that for reasons like these, government may, at any time, be overturned by violence, we shall never, in this country, be without fruitful causes of civil war. There are inequalities in the right of suffrage and representation in every state; and in none, can greater inequality of representation be found, than at present exists, under our national government, in the Senate of the United States. There, two mil-

lions and a half of the citizens of New York are no more numerously represented than a hundred thousand citizens of Rhode Island.

Considerations like these should satisfy us, that mere theories about government and political rights, unaccompanied by oppression and a privation of civil rights, can never, in this country, justify a resort to the sword. Public opinion is the safe, proper, and certain corrective of all evils of this description. Its operation is gradual, but it is surely better to wait long and patiently for its ultimate effects, than rashly to engage in a savage warfare with each other. Indeed, in Rhode Island, public opinion had already produced its effect, and left those, whose feet were so swift to shed blood, without the slightest excuse. Before they raised the standard of rebellion, the legislature had caused a constitution to be submitted to the people, which it was fully in their power to adopt. It will hardly be deemed a sufficient answer to this, to say, that it was not such in all respects as a portion of the people required. It went almost the whole extent of their demands. It is not desirable that changes in government should be abrupt, in matters about which there is nearly an equal division of opinion. In all well regulated communities, such changes are always gradual, and there cannot be the slightest doubt but that, in Rhode Island, surrounded by free republics, and herself one of their elder sisters, every thing, which could be justly demanded, would, in due time, have been obtained. And, under all the circumstances, the attempt, which was made by a portion of her people, to plunge the state in civil war, deserves, in my judgment, the severest reprehension of every humane citizen, and every lover of his country. And I cannot find words to express my sense of the conduct of those, who, unconcerned in the affairs of that state and remote from the dangers and horrors of the scene, urged on and stimulated her deluded citizens to the enactment of the tragedy which they were so eager to witness.

I have thought it my duty to express these views, because it is a subject of immediate interest to us all, and because a suitable expression of opinion, as to the character of such events, is, perhaps, one of the best means of preventing their recurrence. It is due also to the state of Rhode Island, after having passed through so severe and unexampled a trial, and after the noble exhibition she has made of firmness, wisdom, and forbearance, under circumstances of such extreme difficulty and peril.

There is nothing which so much promotes the love of order in a community as the diffusion of knowledge, and especially of that knowledge which is early instilled into the mind. Those who are prepared, with sound principles and a good education, for the active scenes of life, can hardly fail to make useful, peaceable, and moral members of society. And those who are not thus prepared, though naturally well inclined, may easily be made instruments of disorder and mischief. Society has, therefore, no security, except in the early education of its members. Self-interest is thus made the means of compelling us to discharge the highest of all duties towards our fellow men. That portion of our lives, which is employed most profitably for ourselves and our own children, is probably the time we devote to educating the children of others—as the greatest of all benefits is that of living in a peaceable, moral, and well governed community.

Knowing that you fully unite with me in these sentiments, I do not hesitate again to press upon your attentive consideration the subject of our schools and seminaries of learning. In pursuance of a resolution passed

at your last session, I appointed a committee, charged with the duty of enquiring into their condition and the best means of improving them. Their report, which has not yet been received, will probably be made during the present session, and I entertain the hope that it may greatly benefit the cause of education. There is reason to fear that the individual interest, in our common schools, which was formerly so observable among our citizens, has lately been declining. It would be natural, perhaps, that this should be the case, as, at an early period, these schools depended principally for their support upon the separate arrangements and voluntary contributions of each school district. And, as our schools have become, every year, more and more at the public charge, the necessity of such voluntary support would be less and less felt, and, possibly, the introduction and progress of a new system has been allowed to supplant the old one more rapidly than it should have done. If private interest in the subject has thus been withdrawn, only in proportion to the increase of the public fund even, the effect may have, and probably has, been unfavorable. Individual exertion, which springs from a sense of necessity, is active and zealous; and to render a system of support, in schools at the public expense, an adequate substitute for the voluntary system, it is indispensable that it should be accompanied by some general plan of public superintendance and management. Such a plan should embrace all that is essential to secure a perfect knowledge of the whole subject of education, as it exists throughout the state, a careful application of the school fund, and an adequate support of the necessary schools.

Several states have adopted systems similar to the one I recommend, and I would refer you particularly to that which exists in the state of Massachusetts, and to the reports which are annually made, under it, by an officer charged with the duty of their superintendance. I have been forcibly impressed with the utility of these reports, and, indeed, I am unable to perceive how they can be dispensed with, if our schools are to become objects of public care and support. Without them, it is difficult to understand how the public can ever be possessed of the knowledge necessary to their proper management.

The expense attending such reports, and the examination and enquiries of which they are the result, would not be considerable, and even if it were, it ought to constitute no objection to the plan, if I am correct in my view of its importance. But it seems to me, that, if a wise and efficient system were adopted, and our school fund and schools placed under the immediate care of a faithful officer, a sufficient saving might be made to defray all additional expenses.

Without attempting to present new reasons for a liberal provision for our colleges and higher schools, I would again urge the subject upon your consideration. It is for you to decide how liberal a provision the state of our finances will admit of. But I must be permitted to say, that, in a community like ours, education, in any of its branches, ought not to be suffered to languish, from any motives of economy.

The business prosperity of the people of the state, and the means of improving it, deserve your continued and constant care. While every one si left perfectly free in his own pursuits, it is in the power of government to accomplish many things to which individual efforts would be entirely unequal. Government may in various ways afford salutary aid to the enterprize and industry of its citizens, and it seems to me to be one of its first duties to enquire what it can do to improve them. Our citizens have be-

come so dependent upon the growing of wool, that this article may be said to be the staple of the state, and I regret to say that the extreme depression in its price is not only the cause of present inconvenience, but of uneasiness as to the future. The rich and almost boundless plains of the great West are becoming covered with flocks of sheep, which will soon furnish supplies of wool in such abundance, as, I fear, may seriously affect the sale of our own. But as the West can also produce every thing else cheaper than the Atlantic states, it would be in vain to attempt to compete with them in any other product destined for the general market. Our constant study should therefore be directed to creating and building up a market among ourselves, and to establishing the means of such rapid communication with the markets on the sea-board as would enable us to dispose of our products, without fear of competition from the distant west.

The most obvious means of accomplishing these objects are the introduction of rail-roads, and the encouragement of manufactures and the mechanic arts. Capitalists, confiding in the stability and justice of our legislation, would readily occupy the valuable sites for water power with which our state abounds, were it not for the difficulty of reaching them. This difficulty would be entirely removed by the construction of rail-roads, and they will be constructed when individuals become fully satisfied of their vast importance to our prosperity. Almost unattainable as this object seems, at present, to be, I do not at all despair of its ultimate accomplishment. Obstacles, which at first appear almost insurmountable, will yield, in the end, to public spirit and enlightened self-interest, kept constantly alive.

The establishment of manufactures may be encouraged by a liberal granting of charters, with such provisions as shall secure vested rights against violation or encroachment. I greatly mistake the character of the people of this state, if there should ever be a disposition to disturb them. But it would, nevertheless, be the part of wisdom to offer this, as well as every other possible inducement, to those who have the means and inclination to embark in such undertakings. In the neighborhood of manufactories, population would naturally increase, and the mechanic arts spring up and thrive. A home consumption would thus be created for agricultural products, upon which the farmer could always depend. Certainly no community could secure to itself greater prosperity than ours, by adopting and steadily pursuing this course of policy. No people have been more highly favored than ourselves, by natural advantages, and it will be our own fault if we do not improve them.

The tariff of duties lately passed by Congress will, I have no doubt, greatly increase our prosperity. Yet we must not expect from it miraculous effects. Protection had been so long, so unwisely and unjustly withheld, that the whole country was inundated with foreign manufactures, and our means almost exhausted to pay for them. The consequence has been a universal prostration of all the great interests of the country, from which we cannot expect they will suddenly recover. But let us at least derive some benefit from these self-inflicted evils. They should teach us the necessity of guarding against their recurrence. Already do we see the same spirit of mischief, which produced them, again at work in demanding and threatening a repeal of the Tariff. If we watch and oppose it, as we should, we can have little to fear from it. But its success would be our ruin.

In connection with our internal prosperity, I would again call your at-

tention to the subject of a geological survey of the state. The discovery of mineral wealth would more certainly hasten the establishment of rail roads than any other cause. To this cause, indeed, they owe their invention. But it is principally on account of the direct benefit which agriculture would derive from such a survey, that I am solicitous to see it undertaken. While the agriculturalists of other countries are availing themselves, to so much advantage, of the lights of science, let it not be said that the farmers of Vermont are falling behind the age in agricultural improvements. Similar surveys have already been made, or are now in progress, in most of the sister states, and in no instance have they failed to be attended by results of high importance and value. They have not only determined the locality of suspected ores and other minerals, but have often laid open rich mines of metallic and mineral deposites, in regions where their existence had never before been imagined. The narrow territorial extent of our state, and the ready accessibility of its whole surface, render its thorough examination a task which may be accomplished within moderate limits both of time and expense; and I have no doubt our people would cheerfully bear the light addition to their burdens, arising from the adoption of a measure, which promises not only substantial pecuniary and social benefits, by a developement of our internal resources, but an important contribution to natural science and to those great agricultural and manufacturing interests, which it is among the chief duties of an enlightened community to foster. I would suggest, in this connexion, that a sum more than sufficient to meet the expense of such a survey, is now due to the state from the General Government, arising from the sales of the public lands, under the act of September 4th, 1841.

It will be your duty, during your present session, again to divide the state into districts, for the election of members of Congress. For a long series of years this state has been distinguished, I think I am warranted in saying, above any other, for the moderation and justice with which the prevailing political party has treated the rights and claims of the minority. It is a circumstance in our history of which we may justly be proud, and upon which we shall always look back with satisfaction. An equitable division of the state into congressional districts will furnish us no new matter to boast of; it will be merely an adherence to our established customs.

The militia of the state, the brave successors of those, who, in our revolutionary struggle, acquired such unfading honor, will, I am sure, receive from your hands all the consideration which so important a part of our system deserves. The duty of appointing a committee to revise the militia laws, which you devolved upon me at your last session, has been discharged, and their report will, at an early day, be communicated to you.

In the discharge of my official duties, I have had an opportunity of learning the mode in which the accounts of the state, with many of its officers, have hitherto been kept, and I feel bound to call your particular attention to the subject. There is an urgent and pressing necessity here, for a thorough reform. I have been surprised to find that, from the manner of keeping these accounts, opportunities have so long existed for fraudulent practices. A revision of the laws on this subject is imperatively required, and a system should be adopted which will secure a rigorous and exact accountability of every public officer. Great improvements have recently been made in the systems of other states, and it may be well to avail ourselves of the benefit of their experience. I fear we shall gain little, how-

ever, by any attempts at change, unless they are made with a determination to effect a thorough and well matured reform, and to extend it to every officer, immediately or remotely connected with the Treasury. I am relieved from the necessity of entering into greater detail, by the able report of the Auditor, appointed at the last session of the Legislature, which I herewith transmit to you.

In my annual communication last year, I called your attention to several subjects connected with the administration of the General Government, and certain proposed amendments in our Federal Constitution. I allude to the Veto power, the re-eligibility of the President, and the power of removal from office. Subsequent occurrences have strengthened my confidence in the soundness of the views I then expressed; but whether these questions—or that of the distribution of the proceeds of the Public Lands among the several states, to which they have, in my opinion, the clearest right—call for any immediate legislative action, I submit to your judgment and discretion.

CHARLES PAINE.

EXECUTIVE CHAMBER,
Octo. 14, 1842.

On motion of Mr. Carpenter,

Ordered, That five hundred copies of the Governor's message be printed for the use of the House.

The House adjourned.

SATURDAY, OCT. 15, 1842.

Prayer by Rev. Sherman Kellogg.

The petition of William Simmons was referred to the Committee of Claims.

The House proceeded to consider the resolution introduced yesterday by Mr. Hazen, providing for a joint assembly on Tuesday next for the election of Judges of the Supreme Court, which had been made the order of the day for this morning.

Mr. Harrington moved that said resolution be ordered to lie on the table, and made the order of the day for Thursday morning next.

And the question being taken was decided in the negative.

Mr. Van Sicklen moved to lay said resolution on the table; and the question being taken was decided in the negative.

And the question was stated, shall the resolution pass? and being taken was decided in the affirmative.

The memorial of Horace Adams and others, upon the subject of the militia law, was read, and referred to the Committee on Military Affairs.

The petition of V. Lawrence and others, upon the law relative to landlord and tenant, was referred to the Judiciary Committee.

The petition of William Cutts was referred to the Committee of Claims.

Mr. Carpenter introduced the following resolution:

Resolved, by the Senate and House of Representatives, That both Houses meet in joint assembly on Wednesday next, at three o'clock in the afternoon, for the purpose of electing a Secretary of State, an Auditor of Accounts against the State, and an Auditor in the Treasury Department, for the ensuing year.

Which was read and passed.

Mr. Howe of Vernon introduced the following resolution:

Resolved, That so much of the Governor's message as relates to reform in our pecuniary affairs, be referred to a select committee of five.

Which was read and passed.

Mr. Winslow introduced the following resolution:

Resolved, That the Judiciary Committee be instructed to inquire into the expediency of reporting a law, directing the selectmen of the several towns, in making taxes on the list of April, 1842, to omit assessing any tax on the polls of all the militia returned equipped in their respective towns in June, 1842, except highway taxes.

Which was read and passed.

The petition of Ephraim Rice and others, and the petition of James Fuller and others, each praying for an alteration in the boundaries of the towns of Dover, Somerset, and Stratton, were severally referred to a select committee of five, on motion of Mr. Rice.

Mr. Jones of Waitsfield introduced the following resolution:

Resolved, That the General Committee be directed to inquire whether any legislation, explanatory of, or amendatory to, the present listing law, is required.

Which was read and passed.

A message from the Senate, by Mr Clarke, their Secretary:

MR. SPEAKER:—The Senate concur in passing the resolution providing for the appointment of a joint committee to report joint rules, and have appointed as the committee on their part Messrs. Camp, Dillingham, and Briggs.

The Senate concur in the *first* amendment proposed by the House of Representatives to the resolution directing the publication of the legislative directory, and they do not concur in the *second* proposed amendment.

The following memorials, upon the subject of the militia law, were severally referred to the Committee on Military Affairs, namely:

Of Alonzo B. Hough and others.
Of Carlton D. Hazen and others.
Of S. G. Heaton and others.
Of H. H. Hammond and others.
Of Alexander Atchinson and others.
Of James Lincoln and others.

Mr. Vilas introduced the following resolution:

Resolved, That it is the duty of the Secretary of State to enrol all members who present credentials of their election.

Which was read.

Mr. Cushman moved to dismiss said resolution.

And the question was stated, shall the resolution be dismissed?

On which question the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Aldrich,	Fish,	Peake,
Ambler,	Flagg,	Perry,
Atwood,	Folsom,	Pond,
Bailey of Elmore,	Foster of Berlin,	Prentiss,
Ball,	Foster of Tunbridge,	Richardson,
Barber of Enosburgh,	Fox,	Robbins,
Barber of Mount Holly,	Fullerton,	Roscoe,
Barden,	Goodsill,	Ross,
Barney,	Graves,	Russ,
Barton,	Green,	Russell,
Billings,	Guild,	Sanford of Castleton,
Blake,	Harris of Windham,	Sanford of Cornwall,
Bliss,	Hartshorn,	Shafter,
Bogue,	Harwood,	Sheldon,
Bottum,	Hebard,	Simonds,
Bowman,	Hinds,	Skiff,
Briggs,	Holden,	Slack,
Brooks,	Hollister of Pawlet,	Smeed,
Brown of Whiting,	Howard of Andover,	Smith of Addison,
Bump,	Howard of Benson,	Smith of Barton,
Caldwell of Lincoln,	Howe of Vernon,	Smith of Hinesburgh,
Canfield,	Howe of Williamstown,	Sprague,
Carpenter,	Hyde,	Stark,
Carter,	Jackson,	Stoddard,
Chamberlin,	Janes,	Towle,
Clapp,	Johnson,	Tracy,
Clark,	Jones of Waitsfield,	Tuttle of Sandgate,
Cobb of Tinmouth,	Keese,	Tuttle of Weathersfield,
Cooper,	Kellogg,	Van Sicklen,
Cummings,	Kidder,	Wardner,
Cushman,	Kinsley,	Warner,
Daniels,	Lackie,	Welch,
Davis of Baltimore,	Ladd of Grand Isle,	Wheeler of Reading,
Dewing,	Lamb,	Wheeler of Winhall,
Denison of Burke,	Lockwood,	Whipple,
Denison of Hartland,	Lyon,	Whitcomb,
Dustin,	Morse,	White,
Eames,	Mott,	Whitelaw,
Edmonds,	Newell,	Wiley,
Ellis,	Noyes,	Winslow,
Emery,	Paddock,	Woodbridge,
Esty,	Park,	Wright,—127.
Field,		

Those who voted in the negative are, Messrs.

Adams,	Baker,	Brackett,
Aiken,	Barr,	Bradley,
Austin,	Barber of Pownal,	Brown of Whitingham,
Bacon,	Bennett,	Caldwell of Mendon,
Bailey of Lemington,	Boardman of Hydepark,	Charlton,

Cobb of Strafford,
Colby,
Colton,
Davis of Norwich,
Douglass of Richmond,
Douglass of Waterbury,
Eager,
Ellsworth,
Flint of Lowell,
French,
Fuller,
Gay,
Glazier,
Gould,
Gove,
Griggs,
Grow,
Harrington,
Harris of Mansfield,
Hazen,
Henry,
Hill,
Hodgkins,
Holcomb,
Hollister of Marshfield,
Houghton,
Ingalls,
Jewett,
Jones of Dover,
Judson,
Keith,
Kent,
Kibby,
Ladd of Wolcott,
Marshall,
Martindale,
Mattison,
May,
McFarland,
McLoud,
Morrill of Canaan,
Morrill of Danville,
Naramore,
Needham,
Niles,
Norris,
Page of Corinth,
Page of Plainfield,
Page of Westminster,
Parker,
Peck,
Perkins,
Pettibone,
Phelps,
Pope,
Powell,
Rice,
Rowell,
Sanborn,
Scott,
Shattuck,
Small,
Smith of Berkshire,
Soule,
Spalding,
Stanton,
Stilphen,
Taplin,
Taylor,
Turner,
Tyler,
Vilas,
Walker,
Webster of Cabot,
Webster of Colchester,
Wells,
Wheelock,
Whitney,
Willis,—94.

So it was decided in the affirmative.

The House adjourned.

AFTERNOON.

The House proceeded to the consideration of the resolution from the Senate, providing for the publication of the legislative directory, which had been concurred in by the House with two proposed amendments, and which had been returned from the Senate with their disagreement to the *second* amendment proposed by the House, which was, to strike out the word "*four*" and insert the word "*six*," thereby directing the printing of *six hundred* copies of said directory.

And the question was stated, will the House *insist* on their said proposed amendment?

On which question the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Aldrich,
Austin,
Bailey of Elmore,
Baker,
Ball,
Barber of Pownal,

Barden,
Barney,
Barton,
Bennett,
Billings,
Blake,
Boardman of Hydepark,
Boardman of Milton,
Bogue,
Bottum,
Bowe,
Brackett,
Bradley,
Briggs,
Brooks,
Brown of Whiting,
Bump,
Canfield,
Carpenter,
Carter,
Charlton,
Clapp,
Clark,
Cobb of Strafford,
Cobb of Tinmouth,
Colby,
Cooper,
Cushman,
Daniels,
Davis of Baltimore,
Denison of Burke,
Denison of Hartland,
Douglass of Richmond,
Douglass of Waterbury,
Eager,
Eames,
Eaton,
Ellis,
Emery,
Fish,
Flagg,
Flint of Lowell,
Folsom,
Foster of Berlin,
Foster of Tunbridge,
Fox,
French,
Fullerton,
Goodsill,
Gould,
Gove,
Graves,
Green,
Griggs,
Grow,
Harrington,
Harris of Mansfield,
Harris of Windham,
Hartshorn,
Harwood,
Hazen,
Hebard,
Henry,
Hill,
Hinds,
Holcomb,
Holden,
Hollister of Pawlet,
Howard of Andover,
Howard of Benson,
Howe of Williamstown,
Hyde,
Ingalls,
Jackson,
Janes,
Jewett,
Johnson,
Jones of Waitsfield,
Keese,
Kellogg,
Kibby,
Kidder,
Kinsley,
Ladd of Grand Isle,
Lamb,
Leavenworth,
Lyon,
Marshall,
Morrill of Canaan,
Morse,
Mott,
Naramore,
Newell,
Niles,
Noyes,
Page of Corinth,
Page of Westminster,
Park,
Parker,
Perry,
Pettibone,
Pond,
Powell,
Rice,
Richardson,
Robbins,
Roscoe,
Russ,
Russell,
Sanborn,
Sanford of Cornwall,
Scott,
Shafter,
Sheldon,
Skiff,
Slack,
Small,
Smeed,
Smith of Addison,
Smith of Hinesburgh,
Smith of Monkton,
Soule,
Spalding,
Sprague,
Stanton,
Stark,
Stoddard,
Taplin,
Towle,
Tracy,
Turner,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Van Sicklen,
Walker,
Wardner,
Warner,
Webster of Colchester,
Welch,
Wells,
Wheeler of Reading,
Wheeler of Winhall,
Wheelock,
Whipple,
Whitcomb,
White,
Whitney,
Wiley,
Willis,
Winslow,
Woodbridge,
Wright,—158.

Those who voted in the negative are, Messrs.

Adams,
Aiken,
Ambler,

Atwood,	Hodgkins,	Page of Plainfield,
Bacon,	Houghton,	Peake,
Barr,	Howe of Vernon,	Peck,
Bowman,	Jones of Dover,	Perkins,
Brigham,	Judson,	Phelps,
Brown of Whitingham,	Keith,	Pope,
Caldwell of Lincoln,	Lackie,	Ross,
Caldwell of Mendon,	Ladd of Wolcott,	Rowell,
Davis of Norwich,	Martindale,	Sanford of Castleton,
Dewing,	Mattison,	Shattuck,
Edmonds,	May,	Stilphen,
Ellsworth,	McFarland,	Taylor,
Field,	Morrill of Danville,	Tyler,
Fuller,	Needham,	Webster of Cabot,
Gay,	Norris,	Whitelaw,—50.
Glazier,	Paddock,	

So it was determined in the affirmative, and the House resolved to *insist* on their said amendment.

The memorial of Elias Damon and others, and the memorial of George C. Pratt and others, each upon the subject of the militia law, were referred to the Committee on Military Affairs.

The petition of Samuel Lamberton and others was referred to the Committee on Roads.

The petition of Charles Miller was read and referred to a select committee of three.

Mr. Pettibone introduced the following resolution:

Resolved, That Jonathan Houghton, whose credentials have been presented, be admitted to a seat in the House as the representative from the town of Readsboro'.

Which was read and referred to the Committee of Elections.

Mr. Colby introduced the following resolution:

Resolved, That the Committee of Elections make inquiry whether any persons, holding offices of trust or profit under the authority of Congress, are holding seats as members of this House.

Which was read and passed.

(H. 13.) Mr. Hebard, on leave, introduced a bill entitled "an act altering the names of certain persons therein named;"

Which was read the first time and referred to the General Committee.

(H. 14.) Mr. Hebard, on leave, introduced a bill entitled "an act to pay William Maxham the sum therein mentioned;"

Which was read the first time and referred to the Committee on Military Affairs.

(H. 15.) Mr. Hebard, also, on leave, introduced a bill entitled "an act dividing the State into Congressional Districts;"

Which was read the first time, and referred to a committee consisting of one member from each county.

(H. 16.) Mr. Colby, on leave, introduced a bill entitled "an act in addition to Chapter 102 of the Revised Statutes;"

Which was read the first time and referred to the Judiciary Committee.

(H. 17.) Mr. Stilphen, on leave, introduced a bill entitled "an act annexing Johnson's Island to the town of St. Albans;"

Which was read the first time and referred to the members from the County of Franklin.

The remonstrance of Chauncey Bishop and others, against the election of Jonathan Houghton, the returned member from Readsboro', was referred to the Committee of Elections.

Mr. Warner introduced the following resolution:

Resolved, That so much of the Governor's message as relates to a geological survey of the State, be referred to a select committee consisting of five members.

Which was read and passed.

Mr. Jones of Waitsfield introduced the following resolution:

Resolved, by the Senate and House of Representatives, That a select committee of three, on the part of each House, be appointed by the two Houses, to examine into and report the condition of the State Library.

Which was read and passed.

Mr. Woodbridge introduced the following resolution:

Resolved, by the Senate and House of Representatives, That our Senators in Congress be instructed, and our Representatives be requested, to use their exertions to procure the passage of a law of Congress, reducing the pay and mileage of the members of both Houses of Congress, to six dollars per day, and six dollars for every twenty miles travel.

Which was read, and ordered to lie on the table, on motion of Mr. Woodbridge.

Mr. Davis of Norwich introduced the following resolution:

Resolved, That so much of the Governor's message as relates to the militia, be referred to the Committee on Military Affairs.

Which was read and passed.

Mr. Jones of Dover introduced the following resolution:

Resolved, That the Committee of Claims be instructed to inquire into the expediency of providing by law for the payment of officers and musicians of the militia of this State, for their services at the annual drill the past season.

Which was read and passed.

The Speaker announced the appointment of the following gentlemen as the committee, on the part of the House, to report joint rules, namely:

Messrs. Hebard, Vilas, Pettibone.

The House adjourned.

MONDAY, OCT. 17, 1842.

Prayer by Rev. Zebina Young.

The petition of Shubael Wardner and others was referred to the Committee on Banks.

The petition of John Cargill and others was referred to the Land Tax Committee.

The petition of Harry Holden was referred to the General Committee.

The remonstrance of Nathaniel W. French and others against the election of Jonah Brooks jr., the returned member from the town of Lunenburgh, was referred to the Committee of Elections.

The petition of John Childs and others, praying for the passage of a law restricting the killing or taking of muskrats to the months of March, April and May, was referred to the General Committee.

The petition of L. V. Piper and others, praying for the abolition of capital punishment, was referred to the Judiciary Committee.

The House proceeded to consider the resolutions relative to the act of Congress establishing a uniform system of Bankruptcy, introduced by Mr. Vilas on the 13th instant, which had been made the order of the day for this morning

On motion of Mr. Vilas,

Ordered, That said resolutions lie on the table, and be made the order of the day for tomorrow morning.

Mr. Harrington introduced the following resolution:

Resolved, That so much of the Governor's message as relates to the late struggle of the people in the State of Rhode Island to rid themselves of the charter of the second Charles, and in its place establish a constitution guaranteeing the right of free suffrage, be referred to a select committee of five, with instructions to report thereon.

Which was read, and ordered to lie on the table, on motion of Mr. Wardner.

Mr. Denison introduced the following resolution:

Resolved, That the Judiciary Committee be instructed to report a bill, so amending the first Chapter of the Revised Statutes, that the presiding officer at the annual freemen's meetings, held in this State on the first Tuesday of September, to elect town representative, shall not receive votes for said town representative after ten o'clock the following day.

Which was read.

Mr. Wardner moved to dismiss said resolution; and the question being taken, it passed in the affirmative.

On motion of Mr. Rice, the vote of Saturday, referring to a select committee of five the petition of Ephraim Rice and others, and the petition of James Fuller and others, each praying for an alteration of the boundaries of the towns of Dover, Somerset, and Stratton, was reconsidered.

And said petitions were referred to the General Committee.

The memorial of Milton Warner and others, against the alteration of the boundaries of said towns of Dover, Somerset, and Stratton, was referred to the General Committee.

A message from the Senate, by Mr. Clarke, their Secretary:

Mr. Speaker:—The Senate have resolved to recede from their disagreement to the *second* amendment proposed by the House of Representatives to the resolution directing the publication of the legislative directory.

Mr. Smith of Hinesburgh introduced the following resolution:

Resolved, That so much of the Governor's message as relates to a tariff of protection, be referred to a select committee of five.

Which was read and passed.

(H. 18.) Mr. Woodbridge, on leave, introduced a bill entitled "an act in amendment of Chapter 83 of the Revised Statutes;"

Which was read the first time and referred to the Judiciary Committee.

(H. 19.) Mr. Cushman, on leave, introduced a bill entitled "an act to pay Orson Perkins the sum therein mentioned;"

Which was read the first time and referred to the Committee on Military Affairs.

The claim of the town of Manchester against the State for an error in their State tax, disallowed by the Auditor of Accounts, was referred to the Committee of Claims.

The following memorials, upon the subject of the militia law, were severally referred to the Committee on Military Affairs, namely:

Of Edson H. Pierce and others.
Of Luther Adams and others.
Of James M. Putnam and others.
Of Henry Adams jr. and others.
Of Helim Chillson and others.
Of Joel Woodbury and others.
Of Henry S. Boynton and others.
Of Levi Crowell and others.

The petition of Edward G. Babcock was referred to the Committee of Claims.

The petition of Caleb Fenn and others was referred to the Committee on Roads.

The petition of Henry H. Robinson was referred to the Committee of Claims.

(H. 20.) Mr. Webster of Cabot, on leave, introduced a bill entitled "an act regulating assignments;"

Which was read the first time and referred to the Judiciary Committee.

Mr. Carpenter introduced the following resolution:

Resolved, by the Senate and House of Representatives, That both Houses, respectively, proceed, at ten o'clock forenoon, on Wednesday next, to elect a Senator to represent this State in the Congress of the United States for six years from the fourth day of March, 1843, and that both Houses meet in the Representatives' Hall immediately thereafter, to complete said election.

Which was read and passed.

Mr. Baker introduced the following resolution:

Resolved, That a select committee of three be appointed, to inquire whether any persons holding offices of or trust profit under the General Government, are also holding offices of trust or profit under the State of Vermont.

Which was read and passed.

(H. 21.) Mr. Baker, on leave, introduced a bill entitled "an act to abolish capital punishment;"

Which was read the first time and referred to the Judiciary Committee.

A message from the Senate, by Mr. Clarke, their Secretary:

Mr. Speaker:—The Senate concur with the House of Representa-

tives in passing the resolution for a joint assembly to elect Judges of the Supreme Court.

Mr. Davis of Norwich introduced the following resolution:

Resolved, That the Judiciary Committee be instructed to inquire into the expediency of repealing section 16 of Chapter 1 of the Revised Statutes.

Which was read and passed.

(H. 22.) Mr. Jones of Waitsfield, on leave, introduced a bill entitled "an act in alteration of section 2 of Chapter 21 of the Revised Statutes;"

Which was read the first time and referred to the Committee on Roads.

On motion of Mr. Rice,

Resolved, That when the House adjourns, it adjourn to nine o'clock tomorrow morning.

Mr. Davis of Norwich introduced the following resolution:

Resolved, by the Senate and House of Representatives, That the grand list of the several towns in Windsor County be referred to a committee, composed of the members of said county, for the purpose of equalization; the listers of said county having failed to perform that duty.

Which was read, and ordered to lie on the table, on motion of Mr. Hebard.

(H. 23.) Mr. Smith of Monkton, on leave, introduced a bill entitled "an act to pay Truman Hardy the sum therein mentioned;"

Which was read the first time and referred to the Committee of Claims.

Mr. Pettibone moved to reconsider the vote of this forenoon, dismissing the resolution introduced by Mr. Denison of Hartland; which motion was ordered to lie on the table.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—The Senate concur with the House of Representatives in passing the resolution providing for the appointment of a joint committee to examine the condition of the State Library.

Mr. Wright introduced the following resolution:

Resolved, That the Judiciary Committee be instructed to inquire into the expediency of appropriating from the school fund a sum sufficient to pay the State debt.

Which was read.

And the question was stated, shall the resolution pass? and being taken, was decided in the negative; and said resolution was rejected.

Mr. Wells introduced the following resolution:

Resolved, That the Judiciary Committee be instructed to inquire into the expediency of a law, in addition to Chapter 1, section 16, of the Revised Statutes, making it the duty of the constable to certify, also, if the member elect be holding any office of profit or trust under the General Government.

Which was read and passed.

(H. 24.) Mr. Bottum, on leave, introduced a bill entitled "an act in relation to the construction of sections 3, 4, and 5, of Chapter 91 of the Revised Statutes;"

Which was read the first time and referred to the Committee of Agriculture.

Mr. Davis of Norwich introduced the following resolution:

Resolved, That so much of the Governor's message as relates to dividing the State into Congressional Districts, be referred to the General Committee.

Which was read, and amended, on motion of Mr. Canfield, by striking out the words "*General Committee*," and inserting in lieu thereof the words "*select committee ordered to be raised on the bill entitled 'an act to divide the State into Congressional Districts.'*"

And said resolution, thus amended, was adopted.

Mr. Wardner introduced the following resolution:

Resolved, That a committee of three be appointed, to inquire into the expediency of so amending the law relating to the appointment of Commissioners of the deaf and dumb and the blind, that there shall be but one commissioner elected, instead of three, as the law now makes necessary.

Which was read and passed.

Mr. Davis of Norwich introduced the following resolution:

Resolved, That so much of the Governor's message as relates to the manner of keeping the public accounts, be referred to the Committee of Ways and Means.

Which was read and passed.

Mr. Rice introduced the following resolution:

Resolved, That the Judiciary Committee be instructed to inquire into the expediency of making any alteration in the law relative to the foreclosure of mortgages.

Which was read and passed.

The Speaker announced the appointment of the following standing committee:

Committee of Elections.—Messrs. Shafter, Harrington, Russell, Kellogg, Baker, Foster of Tunbridge, Eager.

The petition of John Davis and others was referred to the Committee on Military Affairs.

Mr. Noyes introduced the following resolution:

Resolved, That the Committee on Education be instructed to inquire into the expediency of passing a law, regulating the practice of physic and surgery.

Which was read and passed.

The House adjourned.

TUESDAY, OCT. 18, 1842.

Prayer by Rev. John Gridley.

The petition of Daniel Pineo and others, praying for the distribution of the school fund among the towns for the purposes of education, was referred to the Committee on Education.

Mr. Hebard, from the joint committee to report joint rules, reported the following

JOINT RULES.

1. A joint assembly shall be formed by a union of the Senate and House of Representatives in the hall of the latter, for the purpose of electing certain State and county officers, in which the Secretary of State, or in his absence the Secretary of the Senate, shall officiate as Clerk. It shall be formed only at such time, and for such specific purpose, as may be expressed in a concurrent resolution of both houses; and may adjourn from time to time during the sitting of the General Assembly.

2. The proceedings of every joint assembly, including the resolutions ordering the same, shall be recorded by the Clerk in a book kept for that purpose, which shall be preserved in the office of the Secretary of State, a copy of which shall be furnished to the Governor by the Secretary of State.

3. Previous to the meeting of any joint assembly, for the purpose of electing county officers, the members of the Senate and House of Representatives, from the several counties, shall convene in county conventions, and make a nomination, for all the officers to be elected in their respective counties, and present the same for the consideration of the joint assembly; and no nomination of any county officers shall be finally acted on by the joint assembly, until the same shall have been submitted to the county convention.

4. The rules of the Senate, so far as applicable, shall be observed in regulating the proceedings of every joint assembly.

5. The committees of the Senate and House of Representatives, to whom the same subject matters shall have been referred, may, for the purpose of facilitating business, meet together as a joint committee, and make a joint or separate report to either or both houses, as they may think expedient.

6. In every case of disagreement between the Senate and House of Representatives, if either shall request a conference and appoint a committee for that purpose, and the other house shall also appoint a committee on its part, such committees shall meet, at a convenient hour, to be agreed upon by their chairman, in the conference room, and state to each other, verbally or in writing, the reasons of each house for its vote on the subject matter of disagreement, confer freely thereon, and make report of their doings to their respective houses as soon as may be.

7. Committees of conference shall consist of an equal number from each house, and shall return the papers referred to them to that house which last voted upon the subject matter of disagreement.

8. When bills are on their passage between the two houses, they shall be under the signature of the Secretary or Clerk of each house respectively.

9. After bills have passed both houses, and a certificate showing the one in which they respectively originated has been duly endorsed thereon, they shall be delivered to a joint standing committee of two Senators and two members of the House of Representatives, to be designated the Committee on Bills, who shall make careful examination, and see that they are correctly engrossed, and when satisfied of their accuracy, shall present them first to the Speaker of the House of Representatives, and then to the President of the Senate, for their official signatures, and having obtained them, they shall forthwith deliver them to the Governor for his ap-

probation, and shall make true report to both houses of the day on which each bill was so delivered to the Governor, which shall be duly entered upon the journal of each house.

10. When a bill or resolution, which shall have passed one house, is rejected in the other, notice thereof shall be given to the house in which the same shall have passed; and all such rejected bills or resolutions, with the accompanying papers, shall be returned to, and left in custody of, the house which first acted upon them.

11. Each house shall transmit to the other all papers on which any bill or resolution shall be founded; and should such bills or resolutions pass both houses, the same papers shall be delivered to the Governor.

12. After each house shall have adhered to the vote of disagreement, a bill or resolution shall be lost.

13. No bill, which shall have passed one house, shall be sent for concurrence to the other, on either of the two last days of the session.

Which were adopted on the part of the House.

The Speaker announced the appointment of the following

STANDING COMMITTEES.

Of Ways and Means.—Messrs. Wardner, Fox, Henry, Wright, Wheelock.

On Military Affairs.—Messrs. Cushman, Barney, Davis of Norwich, Jones of Dover, Cooper.

Judiciary Committee.—Messrs. Hebard, Vilas, Canfield, Woodbridge, Colby.

Of Claims.—Messrs. Van Sicklen, Smith of Berkshire, Roscoe, Harris of Windham, Stilphen.

On Roads.—Messrs. Sprague, Winslow, Charlton, Park, Aiken.

On Banks.—Messrs. Warner, Cobb of Strafford, Noyes, Daniels, Henry.

Of Insolvency.—Messrs. Stark, Dustin, Hollister of Marshfield, Sheldon, Webster of Cabot.

On Manufactures.—Messrs. Russ, Paddock, Pope, Phelps, Billings.

Of Agriculture.—Messrs. Chamberlin, Jones of Waitsfield, Peck, Emery, Whitney.

Land Tax Committee.—Messrs. Guild, Powell, Whitelaw, McFarland, Bailey of Lemington.

On Education.—Messrs. Prentiss, Bottum, Niles, Peake, Webster of Colchester.

On the State Prison.—Messrs. Shafter, Pettibone, Van Sicklen, Cushman, Barber of Enosburgh.

General Committee.—Messrs. Bailey of Elmore, Houghton, Howe of Vernon, Bogue, Slack, Sanford of Cornwall, Flint of Braintree, Jackson, Kent, Chamberlin, Barr, Simonds, Wells, Kinsley.

To make up the Grand List.—Messrs. Harwood, Martindale, Field, Rice, Briggs, Needham, Hyde, Tuttle of Weathersfield, Perry, Pond, Howe of Williamstown, Page of Corinth, Smith of Hinesburgh, Stanton, Morse, Mc Loud, Denison of Burke, Sanborn, Janes, Brigham, Hinds, Ladd of Wolcott, Smith of Barton, Flint of Lowell, Brooks, Gould, Ladd of Grand Isle, Hazen.

Distributing Committee.—Messrs. Wiley, Newell, Bowe, Whipple, Bump, May, Leavenworth, Douglass of Waterbury, Bradley, Brigham, Bennett, Rowell, Aldrich, Holcomb.

On Bills.—Messrs. Fullerton, Parker.

Of Revision.—Messrs. Canfield, Prentiss, Colby.

To equalize the Grand List.—Messrs. Sprague, Tuttle of Sandgate, Clark, Denison of Hartland, Skiff, Taylor, Boardman of Milton, Keith, Morrill of Danville, Gove, Small, Cummings, Graves, Mott.

The petition of the Rutland Citizens' Corps was referred to the Committee on Military Affairs.

The petition of Robert Witherspoon and others was referred to the Committee on Roads.

The remonstrance of Tappan Stevens against the election of William H. Carter, the returned member from the town of Newbury, was referred to the Committee of Elections.

The House proceeded to consider the resolutions relative to the United States Bankrupt Law, which had been made the order of the day for this morning.

On motion of Mr. Vilas,

Ordered, That said resolutions lie on the table, and be made the order of the day for this afternoon.

(H. 25.) Mr. Davis of Norwich, on leave, introduced a bill entitled "an act in explanation of section 14 of Chapter 18 of the Revised Statutes."

Which was read the first time and referred to the Judiciary Committee.

(H. 26.) Mr. Winslow, on leave, introduced a bill entitled "an act in amendment of section 34 of Chapter 29 of the Revised Statutes."

Which was read the first time and referred to the Judiciary Committee.

Mr. Sanborn introduced the following resolutions:

Resolved, by the Senate and House of Representatives, That our Senators in Congress be instructed, and our Representatives requested, to use their influence and exertions, to pass a law to continue in force, for five years, the act of Congress of 1838, granting pensions to widows of Revolutionary officers and soldiers, who were married prior to January, 1794.

Resolved, That the Governor be requested to furnish each of our delegation in Congress with a copy of the above resolution.

Which were read, and on motion of Mr. Rice,

Ordered, That said resolutions lie on the table, and be made the order of the day for tomorrow morning.

Mr. Peck introduced the following resolution:

Resolved, That the Committee of Ways and Means be instructed to inquire into the expediency of so altering the present listing law, as to require the listers of the several towns to assess the faculties of professional men in a certain sum in the list of their respective towns, and also to assess the libraries of said professional men in the same manner that other personal property is assessed and set in said list.

Which was read and passed.

Mr. Jones of Dover introduced the following resolution:

Resolved, That the Committee of Ways and Means be instructed to inquire into the expediency of so altering the listing law of 1841, as that the polls may be set in the list at three dollars each.

Which was read and passed.

On motion of Mr. Harrington, the House proceeded to consider the resolution, introduced by him yesterday, which is as follows:

Resolved, That so much of the Governor's message as relates to the late struggle of the people in the State of Rhode Island, to rid themselves of the charter of the second Charles, and, in its place, establish a constitution guaranteeing the right of free suffrage, be referred to a select committee of five, with instructions to report thereon.

Said resolution was amended, on motion of Mr. Wardner, by striking out the words "*struggle of the people in the State of Rhode Island, to rid themselves of the charter of the second Charles, and, in its place, establish a constitution guaranteeing the right of free suffrage*," and inserting in lieu thereof the words "*troubles in the State of Rhode Island*."

And the resolution, thus amended, passed.

The petition of William Reed and others was referred to the Land Tax Committee.

Mr. Ball introduced the following resolution:

Resolved, That the Committee of Ways and Means be directed to take into consideration the present listing law, and report amendments thereto, if in their opinion such amendments are required.

Which was read and passed.

A message from the Senate, by Mr. Clarke, their Secretary:

Mr. Speaker:—The Senate concur with the House of Representatives in passing the resolution providing for the election of a Senator to represent this State in the Congress of the United States; and also in the resolution for a joint assembly to elect a Secretary of State, an Auditor of Accounts against the State, and an Auditor in the Treasury Department.

The Senate have, on their part, adopted the joint rules reported by the joint committee of the two Houses.

Mr. Pettibone introduced the following resolution;

Resolved, That the Committee on Education be directed to inquire into the expediency of fixing the first day of April, as the commencement of the year in which the two months school be kept by ether money than the public fund.

Which was read and ordered to lie on the table.

Mr. Davis of Norwich called up the resolution, introduced by him yesterday, which had been ordered to lie on the table; which resolution is as follows:

Resolved, by the Senate and House of Representatives, That the grand list of the several towns in Windsor County be referred to a committee, composed of the members of said county, for the purpose of equalization; the listers of said county having failed to perform that duty.

Mr. Denison of Hartland moved to dismiss said resolution.

And on the question, shall the resolution be dismissed? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Aldrich,	Bliss,	Canfield,
Ambler,	Boardman of Milton,	Carpenter,
Atwood,	Bogue,	Carter,
Ball,	Bowe,	Chamberlin,
Barr,	Briggs,	Clapp,
Barber of Enosburgh,	Brigham,	Clark,
Barber of Mount Holly,	Brooks,	Cobb of Tinmouth,
Barton,	Brown of Whitingham,	Colby,

Cooper,
Cummings,
Dewing,
Denison of Burke,
Denison of Hartland,
Eager,
Eames,
Edmonds,
Ellis,
Ellsworth,
Emery,
Esty,
Field,
Flagg,
Foster of Berlin,
Foster of Tunbridge,
Fox,
Fullerton,
Goodsill,
Graves,
Green,
Guild,
Harrington,
Harris of Windham,
Hartshorn,
Harwood,
Hebard,
Henry,
Holden,
Hollister of Marshfield,
Howard of Andover,
Howard of Benson,
Howe of Vernon,
Howe of Williamstown,
Hyde,
Jackson,
Jewett,
Johnson,
Jones of Dover,
Jones of Waitsfield,
Kellogg,
Kidder,
Kinsley,
Lackie,
Ladd of Grand Isle,
Lamb,
Leavenworth,
Lyon,
Martindale,
Moore,
Mott,
Naramore,
Newell,
Noyes,
Page of Westminster,
Park,
Peake,
Perry,
Phelps,
Pond,
Rice,
Richardson,
Robbins,
Roscoe,
Ross,
Russ,
Russell,
Sanford of Castleton,
Shafter,
Sheldon,
Simonds,
Slack,
Small,
Smeed,
Smith of Addison,
Smith of Barton,
Smith of Hinesburgh,
Smith of Monkton,
Stark,
Steddard,
Towle,
Tracy,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Van Sicklen,
Wardner,
Warner,
Welch,
Wheeler of Winhall,
Whitcomb,
Whitelaw,
Wiley,
Woodbridge,—117.

Those who voted in the negative are, Messrs.

Adams,
Aiken,
Austin,
Bacon,
Barber of Pownal,
Bennett,
Billings,
Blake,
Boardman of Hydepark,
Bowman,
Brackett,
Bump,
Caldwell of Mendon,
Charlton,
Cobb of Strafford,
Colton,
Cushman,
Davis of Baltimore,
Davis of Norwich,
Douglass of Waterbury,
Flint of Braintree,
Flint of Lowell,
Folsom,
French,
Gay,
Glazier,
Gove,
Griggs,
Grow,
Harris of Mansfield,
Hazen,
Hill,
Holcomb,
Hollister of Pawlet,
Judson,
Kibby,
Ladd of Wolcott,
Mattison,
May,
McFarland,
McLoud,
Morrill of Canaan,
Morrill of Danville,
Morse,
Needham,
Niles,
Norris,
Page of Corinth,
Page of Plainfield,
Parker,
Peck,
Pettibone,
Pope,
Powell,
Rowell,
Sanborn,
Scott,
Smith of Berkshire,
Soule,
Spalding,
Sprague,
Stanton,
Stilphen,

Taplin,	Walker,	Wiggins,
Turner,	Webster of Cabot,	Willis,
Tyler,	Whipple,	Winslow,—73.
Vilas,		

So it passed in the affirmative.

Mr. Asher Moon, the representative from the town of Sudbury, presented his credentials, was sworn, and took his seat.

The House adjourned.

AFTERNOON.

(H. 27.) Mr. Davis of Norwich, on leave, introduced a bill entitled "an act for the relief of the town of Norwich."

Which was read the first time and referred to the Committee to make up the Grand List.

(H. 28.) Mr. Barney, on leave, introduced a bill entitled "an act to pay Ebenezer W. Babcock the sum therein mentioned."

Which was read the first time and referred to the Committee of Claims.

Mr. Folsom introduced the following resolution:

Resolved, That so much of the Governor's message as relates to the abolishing of slavery, be referred to a select committee of five.

Which was read and passed.

(H. 29.) Mr. Aiken, on leave, introduced a bill entitled "an act to alter the name of William Hunter jr."

Which was read the first time and referred to the General Committee.

The House adjourned.

WEDNESDAY, OCT. 19, 1842.

Prayer by Rev. Eli Ballou.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—The Senate have passed a resolution providing for the postponement of the election of a Senator, to represent this State in the Congress of the United States for the term of six years from the fourth day of March next, in which they request the concurrence of the House of Representatives.

A resolution from the Senate:

Resolved, by the Senate and House of Representatives, That the proceeding in the election of a Senator to represent this State in the Senate of the United States, as provided for in a resolution which has been passed, be postponed till Friday next, at ten o'clock forenoon.

Which was read and concurred in.

Mr. Canfield moved to reconsider the vote by which the House yesterday adopted the resolution, introduced by Mr. Folsom, referring to committee so much of the Governor's message as relates to slavery; and the question being taken was decided in the affirmative.

Mr. Canfield moved to dismiss said resolution.

And the question being taken, it passed in the affirmative.

On motion of Mr. Vilas, the House proceeded to consider the resolutions, introduced by him on the 13th instant, which resolutions are as follows:

Resolved, by the Senate and House of Representatives, That our Senators in Congress be instructed, and our Representatives requested, to use their best exertions and influence to procure the repeal of the act passed at the extra session in 1841, entitled "an act to establish a uniform system of bankruptcy throughout the United States."

Resolved, That his Excellency the Governor be requested to transmit a copy of the foregoing resolution to each of our Senators and Representatives in Congress.

And the question was stated from the chair, shall the resolutions pass?

On which question the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,	Bowman,	Denison of Burke,
Aiken,	Brackett,	Denison of Hartland,
Aldrich,	Bradley,	Douglass of Waterbury,
Ambler,	Briggs,	Dustin,
Atwood,	Brigham,	Eager,
Austin,	Brown of Whiting,	Eames,
Bacon,	Brown of Whitingham,	Edmonds,
Bailey of Elmore,	Bump,	Ellis,
Bailey of Lemington,	Caldwell of Lincoln,	Ellsworth,
Baker,	Caldwell of Mendon,	Emery,
Ball,	Canfield,	Esty,
Barr,	Carpenter,	Field,
Barber of Enosburgh,	Carter,	Fish,
Barber of Mount Holly,	Chamberlin,	Flagg,
Barber of Pownal,	Charlton,	Flint of Braintree,
Barden,	Clapp,	Flint of Lowell,
Barney,	Clark,	Folsom,
Bennett,	Cobb of Tinmouth,	Foster of Berlin,
Billings,	Colton,	Foster of Tunbridge,
Blake,	Cooper,	Fox,
Bliss,	Cushman,	French,
Boardman of Hydepark,	Daniels,	Fuller,
Boardman of Milton,	Davis of Baltimore,	Fullerton,
Bogue,	Davis of Norwich,	Gay,
Bowe,	Dewing,	Glazier,

Goodsill,
Gould,
Gove,
Graves,
Green,
Griggs,
Grow,
Guild,
Harrington,
Harris of Mansfield,
Harris of Windham,
Hartshorn,
Harwood,
Hazen,
Hebard,
Henry,
Hill,
Hinds,
Hodgkins,
Holcomb,
Holden,
Hollister of Pawlet,
Houghton,
Howard of Andover,
Howard of Benson,
Howe of Vernon,
Howe of Williamstown,
Hyde,
Jackson,
Janes,
Jewett,
Johnson,
Jones of Dover,
Jones of Waitsfield,
Judson,
Keese,
Keith,
Kellogg,
Kent,
Kibby,
Kidder,
Kinsley,
Lackie,
Ladd of Grand Isle,
Ladd of Wolcott,
Lamb,
Leavenworth,
Lyon,
Marshall,
Martindale,
Mattison,
May,
McFarland,
McLoud,
Moon,
Moore,
Morrill of Canaan,
Morrill of Danville,
Morse,
Mott,
Naramore,
Needham,
Newell,
Niles,
Norris,
Noyes,
Paddock,
Page of Corinth,
Page of Plainfield,
Page of Westminster,
Park,
Parker,
Peake,
Peck,
Perkins,
Perry,
Pettibone,
Phelps,
Pond,
Pope,
Prentiss,
Rice,
Richardson,
Robbins,
Roscoe,
Ross,
Rowell,
Russ,
Sanborn,
Sanford of Castleton,
Sanford of Cornwall,
Scott,
Shafter,
Shattuck,
Sheldon,
Simonds,
Skiff,
Small,
Smeed,
Smith of Addison,
Smith of Barton,
Smith of Berkshire,
Smith of Hinesburgh,
Smith of Monkton,
Soule,
Spalding,
Sprague,
Stanton,
Stark,
Stilphen,
Stoddard,
Taplin,
Taylor,
Towle,
Tracy,
Turner,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Tyler,
Van Sicklen,
Vilas,
Walker,
Wardner,
Warner,
Webster of Cabot,
Webster of Colchester,
Welch,
Wells,
Wheeler of Reading,
Wheeler of Winhall,
Wheelock,
Whipple,
Whitcomb,
White,
Whitelaw,
Whitney,
Wiggins,
Wiley,
Willis,
Woodbridge,
Wright,—216.

Those who voted in the negative are, Messrs.

Barton, Brooks, Winslow,—3.

So it was decided in the affirmative.

(H. 30.) Mr. Mott, on leave, introduced a bill entitled "an act to pay William W. White and Horace Wardsworth the sum therein mentioned."

Which was read the first time and referred to the Committee on Military Affairs.

(H. 31.) Mr. Winslow, on leave, introduced a bill entitled "an act for the relief of the town of Pomfret."

Which was read the first time and referred to the Committee to make up the Grand List.

Mr. Jones of Waitsfield introduced the following resolution:

Resolved, by the Senate and House of Representatives, That the two Houses meet in joint assembly on Tuesday next, at ten o'clock A. M., to elect a Superintendent and three Directors of the State Prison.

Which was read and passed.

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

MR. SPEAKER:—I am directed to communicate from his Excellency the Governor to the House of Representatives, for the use of the General Assembly, certain documents relative to the State Prison.

The memorial of Jonathan Warner jr. and others, upon the subject of slavery, was referred to the Judiciary Committee.

The petition of Jacob Cary was referred to the Judiciary Committee.

The petition of Moses Warner was referred to a select committee of three, on motion of Mr. Billings.

The papers communicated by the Governor, in relation to the State Prison, were considered.

On motion of Mr. Ellis,

Ordered, That said papers lie on the table, and that three hundred copies of the same, with the exception of the inventory of property, be printed for the use of the House.

The House adjourned.

AFTERNOON.

The Speaker announced the appointment of the following gentlemen as the select committee, ordered to be raised on the petition of Moses Warner, namely:

Messrs. Billings, Howard of Andover, Slack.

The petition of Heman Greene was referred to the General Committee.

(H. 32.) Mr. Keith, on leave, introduced a bill entitled "an act in addition to section 14, Chapter 1, of the Revised Statutes."

Which was read the first time and referred to the Judiciary Committee.

(H. 33.) Mr. Davis of Norwich, on leave, introduced a bill entitled "an act in amendment of Chapter 104 of the Revised Statutes."

Which was read the first time and referred to the General Committee.

(H. 34.) Mr. Gould, on leave, introduced a bill entitled "an act to pay Lewis H. Massure the sum therein mentioned."

Which was read the first time and referred to the Committee of Claims.

A message from the Senate, by Mr Clarke, their Secretary:

MR. SPEAKER:—The Senate concur with the House of Representatives in passing the resolution for a joint assembly to elect a Superintendent and three Directors of the State Prison, with a proposal of amendment, in which they request the concurrence of this House.

The House proceeded to consider said resolution and amendment, which was, to insert the word "*Chaplain*" after the word "*Superintendent*," thereby to provide for the election of a Chaplain of the State Prison; and it was

Resolved, To concur in said amendment.

The petition of Araunah Spear and others was referred to the Judiciary Committee.

Mr. Wright introduced the following resolution:

Resolved, by the Senate and House of Representatives, That the two Houses meet in joint assembly on Tuesday next, at ten o'clock A. M., to elect a Reporter of the decisions of the Supreme Court, Commissioners of the Deaf and Dumb and the Blind, and Sergeant-at-Arms.

Which was read and passed.

The House adjourned.

THURSDAY, OCT. 20, 1842.

Prayer by Rev. Mr. Kellogg.

The Speaker laid before the House the sixth annual report of the Trustees of the Vermont Asylum for the Insane.

On motion of Mr. Clark,

Ordered, That said report lie on the table, and that eight hundred copies thereof be printed for the use of the House.

The petition of the Sherburne Turnpike Company was referred to the Committee on Roads.

The memorial of Harvey Liscomb and others, upon the subject of the militia law, was referred to the Committee on Military Affairs.

(H. 35.) Mr. Howe of Vernon, on leave, introduced a bill entitled "an act in addition to 'an act relating to the Grand List,' approved November 11, 1841."

Which was read the first time and referred to the Committee to equalize the Grand List.

Mr. Holden introduced the following resolution:

Resolved, That the Committee on Roads be instructed to inquire, if auditors and commissioners have been appointed for the Winooski Turnpike, agreeably to the act incorporating said Winooski Turnpike Company, and whether said auditors and commissioners have attended to the duties assigned them by the act aforesaid. Also, if said Company have not violated their charter by taking double the toll at one and the same place, that is allowed to be taken at any one gate on said road by the act aforesaid. Also, to inquire if the public good does not require a revision of the rates of toll on said road. And report by bill or otherwise.

Which was read and passed.

(H. 36.) Mr. Carpenter, on leave, introduced a bill entitled "an act to incorporate the Orange County Bank."

Which was read the first time and referred to the Committee on Banks.

Mr. Houghton introduced the following resolution:

Resolved, That the Judiciary Committee be directed to inquire into the expediency of extending the jurisdiction of Justices of the Peace, so that they shall be competent to try actions in debt, where the balance claimed as due shall not exceed the sum of one hundred dollars.

Which was read and passed.

(H. 37.) Mr. Whipple, on leave, introduced a bill entitled "an act for the relief of the town of Springfield."

Which was read the first time and referred to the Committee to make up the Grand List.

(H. 38.) Mr. Colton, on leave, introduced a bill entitled "an act in addition to 'an act in addition to the several acts regulating and governing the militia of this State.'"

Which was read the first time and referred to the Committee on Military Affairs.

Mr. Davis of Norwich introduced the following resolution:

Resolved, That the Committee of Ways and Means be instructed to report a bill, more effectually to secure the prompt rendering of the accounts of all accounting officers.

Which was read and passed.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—The Senate concur with the House of Representatives in passing the resolution for a joint assembly to elect a Reporter of decisions of the Supreme Court, Commissioners of the Deaf and Dumb and the Blind, and a Sergeant-at-Arms.

Mr. Shafter, from the Committee of Elections, to which was referred the remonstrance of John Hicks against the election of John H. Mattison, the returned member from the town of Glastenbury, submitted the following report:

To the House of Representatives now in session:

Your Committee of Elections, to whom was referred the remonstrance of John Hicks against the election of John H. Mattison, the returned member from the town of Glastenbury, present the following

REPORT:

That the said John H. Mattison did not reside in said town of Glastenbury the year next preceding his election, and they recommend the passage of the accompanying resolution.

In the hearing had in the said case it was proved, that on or about the

20th day of November, A. D. 1841, the said John H. Mattison moved into the town of Glastenbury, having no previous residence therein, and that he has resided therein ever since.

In the aforesaid hearing the said John H. Mattison objected to the reading of all the depositions taken on the part of the protestant, and thereupon offered to prove, by two depositions legally taken on the 13th day of October, A. D. 1842, and also by a living witness before said Committee, that at the hour named in the citation for the taking of said depositions on the part of the protestant, to wit: at the hour of 12 o'clock, M., on the 3d day of October, A. D. 1842, the said Mattison did appear at the place appointed, and remained there until 40 minutes past 1 o'clock, P. M., and then departed. That the Justice arrived at 20 minutes past 2 o'clock, and was then informed that said Mattison had been present, and had departed as aforesaid; and that then the said Justice went on *ex parte* and took three of said depositions offered, and thereupon adjourned to the next day, and on said next day proceeded to take the remaining four depositions offered, without further notice to said Mattison.

The Committee admitted the depositions offered on the part of the protestant, and rejected the two depositions and the witness offered by the said Mattison.

All which is respectfully submitted.

J. McM. SHAFTER, *for Committee.*

The accompanying resolution, reported by said Committee, was read as follows:

Resolved, That John H. Mattison, the returned member from the town of Glastenbury, is not entitled to a seat in this House.

On motion of Mr. Vilas,

Ordered, That said remonstrance and report lie on the table, and be made the order of the day for tomorrow morning.

The petition of the Corporation of the University of Vermont, praying for the remission of a debt due from them to the State School Fund, was read, and referred to the Committee of Claims.

Mr. Baker introduced the following resolution:

Resolved, That the Clerk be directed to reject the directories which have been presented to the House, and procure others that shall be correct.

Which was read, and ordered to lie on the table, on motion of Mr. Pettibone.

(H. 39.) Mr. Van Sicklen, on leave, introduced a bill entitled "an act to prevent illegal voting at freemen's meetings in this State."

Which was read the first time and referred to the Judiciary Committee.

(H. 40.) Mr. Shafter, on leave, introduced a bill entitled "an act in addition to Chapter 20 of the Revised Statutes."

Which was read the first time and referred to the Committee on Roads.

The memorial of Churchill Sampson and others, upon the subject of imprisonment for debt, was referred to the Judiciary Committee.

The House adjourned.

AFTERNOON.

(H. 41.) Mr. Marshall, on leave, introduced a bill entitled "an act in relation to bills of divorce."

Which was read the first time and referred to the Judiciary Committee.

(H. 42.) Mr. Vilas, on leave, introduced a bill entitled "an act to distribute to the several towns the income of the State School Fund."

Which was read the first time and referred to the Committee on Education.

(H. 43.) Mr. Peck, on leave, introduced a bill entitled "an act to pay Sylvanus Ripley the sum therein mentioned."

Which was read the first time and referred to the Committee of Claims.

The petition of Harry Bingham and others, praying for the division of the County of Windsor into two counties, was ordered to lie on the table, on motion of Mr. Vilas.

(H. 44.) Mr. Van Sicklen, on leave, introduced a bill entitled "an act to prevent the importation of paupers into this State."

Which was read the first time and referred to the Judiciary Committee.

The House adjourned.

FRIDAY, OCT. 21, 1842.

Prayer by Rev. Zebina Young.

The Speaker announced the appointment of the following select committees:

(H. 15.) On the bill entitled "an act to divide the State into Congressional Districts," Messrs. Canfield, Howe of Vernon, Fox, Russell, Warner, Vilas, Van Sicklen, Keith, Webster of Cabot, Gove, Baker, Cummings, Marshall, Mott.

On the resolution referring to a select committee of five so much of the Governor's message as relates to the late troubles in Rhode Island, Messrs. Harrington, Canfield, Cobb of Strafford, Cushman, Chamberlin.

On the resolution directing the appointment of a committee to inquire whether any persons, holding offices of trust and profit under the General Government, are holding offices of trust and profit under the State of Vermont, Messrs. Baker, Carpenter, Denison of Hartland.

The petition of Abner Jackman and others was referred to the Land Tax Committee.

The Speaker laid before the House the report of the Auditor of Ac-

counts, accompanying the annual message of the Governor, and a bill (H. 45) entitled "an act relating to public accounts," submitted to the General Assembly by the said Auditor of Accounts, in his said report.

On motion of Mr. Wardner,

Ordered, That said report and bill lie on the table, and that three hundred copies of said bill be printed for the use of the House.

Mr. Cushman introduced the following resolution:

Resolved, That so much of the Governor's message as relates to our schools, seminaries of learning, and the application of the school fund, be referred to the Committee on Education.

Which was read and passed.

(H. 46.) Mr. Whipple, on leave, introduced a bill entitled "an act in alteration of the law relating to the grand list."

Which was read the first time and referred to a select committee of five.

Mr. Wardner introduced the following resolution:

Resolved, That the Auditor of Accounts be directed to superintend the printing of the Reports of the Directors of the State Prison, Auditor in the Treasury Department, Committee and Commissioner on Banks, and all other reports relating to the disbursement of the public revenue, and that he cause all of said reports to be stitched in one volume, for the use of the Legislature.

Which was read and passed.

(H. 47.) Mr. Robbins, on leave, introduced a bill entitled "an act in addition to 'an act relating to the grand list,' passed November 11, 1841."

Which was read the first time and referred to the Committee to make up the Grand List.

Mr. Peck introduced the following resolutions:

Whereas the revenue bill, passed in the Congress of the United States, at its last session, has in its provisions more effectually secured the interest of the manufacturer than that of the agriculturist; and whereas we believe that the interest of all classes should be equally protected,—

Resolved, therefore, by the Senate and House of Representatives, That our Senators in Congress be instructed, and our Representatives requested, to use their influence to procure such alterations in said bill as will more effectually secure the wool-growing and other agricultural interests of the country.

Resolved, That the Governor be requested to forward copies of the foregoing preamble and resolution to each of our Senators and Representatives in Congress.

Which were read, and, on motion of Mr. Davis of Norwich, it was

Ordered, That said resolutions lie on the table, and be made the order of the day for tomorrow morning.

(H. 48.) Mr. Davis of Norwich, on leave, introduced a bill entitled "an act to pay Danforth & Lewis the sum therein mentioned."

Which was read the first time and referred to the Committee of Ways and Means.

(H. 49.) Mr. Pond, on leave, introduced a bill entitled "an act relating to town clerks."

Which was read the first time and referred to the Judiciary Committee.

(H. 50.) Mr. Barber of Mount Holly, on leave, introduced a bill entitled "an act in addition to 'an act to repeal part of Chapter 90 of the Revised Statutes,' approved November 3, 1841."

Which was read the first time and referred to the Judiciary Committee.

(H. 51.) Mr. Colton, on leave, introduced a bill entitled "an act in alteration of the laws regulating and governing the militia."

Which was read the first time and referred to the Committee on Military Affairs.

Mr. Morrill of Danville introduced the following resolution:

Resolved, That the Committee of Agriculture be instructed to inquire into the expediency of reporting a bill for the encouragement of the growth of wheat by the State, by offering a small bounty per bushel to the grower of the same, to report by bill or otherwise.

Which was read and passed.

Mr. McLoud introduced the following resolution:

Resolved, by the Senate and House of Representatives, That one horse to each member belonging to the cavalry, and one horse belonging to each brigade and regimental officer, who are obliged by law to provide themselves with such, shall be exempt from all taxes except a tax on the highway.

Which was read and referred to the Committee on Military Affairs.

A message from the Senate, by Mr. Clarke, their Secretary:

Mr. Speaker:—The Senate concur with the House of Representatives in passing the resolutions relative to the repeal of the act of Congress, establishing a uniform system of bankruptcy throughout the United States.

(H. 52.) Mr. Kellogg, on leave, introduced a bill entitled "an act in addition to Chapter 18 of the Revised Statutes."

Which was read the first time and referred to the Judiciary Committee.

Pursuant to the concurrent resolution of the two Houses, the House proceeded te elect, on their part, a Senator to represent this State in the Congress of the United States, for the term of six years from the fourth day of March next.

Ordered, That a message be sent to the Senate, to inform them that the House are now ready to proceed to the election, on their part, of a Senator, agreeably to the concurrent resolution of the two Houses.

A message from the Senate, by Mr. Clarke, their Secretary:

Mr. Speaker:—I am directed to inform the House of Representatives that the Senate are ready to proceed to the election, on their part, of a Senator to represent this State in the Congress of the United States, for the term of six years from the fourth day of March next, in conformity with the resolution of both Houses.

Whereupon,

After an examination of the ballots by the tellers, it appeared that the

Hon. WILLIAM UPHAM

was duly elected, on the part of the House, a Senator to represent this State in the Congress of the United States, for the term of six years from the fourth day of March next.

Ordered, That the Senate be informed by message that the House have elected, on their part, a Senator as aforesaid, and are ready to meet the

Senate in joint assembly, to compare the proceedings of the two Houses, and to complete the election.

A message from the Senate, by Mr Clarke, their Secretary:

Mr. Speaker:—The Senate have elected, on their part, a Senator to represent this State in the Congress of the United States, and are ready to meet the House of Representatives in joint assembly, to compare the proceedings of the two Houses, and to complete the election.

A message, in writing, was received from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs, which was delivered in to the Speaker's table.

On motion of Mr. Woodbridge, the House proceeded to consider the resolution, introduced by him on the 15th instant, which resolution is as follows:

Resolved, by the Senate and House of Representatives, That our Senators in Congress be instructed, and our Representatives be requested, to use their exertions to procure the passage of a law of Congress, reducing the pay and mileage of the members of both Houses of Congress to six dollars per day and six dollars for every twenty miles travel.

Said resolution was amended, on motion of Mr. Woodbridge, by adding thereto the following words: "*and that the Governor of this State be requested to furnish each of our Senators and Representatives with a copy of this resolution.*"

The said resolution was further amended, on motion of Mr. Vilas, by striking out the word "*six*," where it last occurs, and inserting the word "*three.*"

And the question was stated, shall the resolution, as thus amended, pass?

On which question the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,	Brackett,	Denison of Burke,
Aiken,	Bradley,	Denison of Hartland,
Austin,	Brigham,	Douglass of Richmond,
Bailey of Elmore,	Brooks,	Douglass of Waterbury,
Bailey of Lemington,	Brown of Whiting,	Dustin,
Baker,	Brown of Whitingham,	Eager,
Ball,	Caldwell of Lincoln,	Eames,
Barr,	Caldwell of Mendon,	Eaton,
Barber of Enosburgh,	Carpenter,	Edmonds,
Barber of Mount Holly,	Chamberlin,	Ellis,
Barber of Pownal,	Charlton,	Ellsworth,
Barden,	Clapp,	Emery,
Barton,	Clark,	Esty,
Bennett,	Cobb of Strafford,	Field,
Billings,	Cobb of Tinmouth,	Fish,
Blake,	Colby,	Flagg,
Bliss,	Colton,	Flint of Braintree,
Boardman of Hydepark,	Cooper,	Flint of Lowell,
Boardman of Milton,	Cummings,	Folsom,
Bogue,	Cushman,	Foster of Berlin,
Bottum,	Daniels,	Foster of Tunbridge,
Bowe,	Davis of Baltimore,	Fox,
Bowman,	Davis of Norwich,	French,

Fuller,
Fullerton,
Gay,
Glazier,
Goodsill,
Gould,
Gove,
Graves,
Green,
Griggs,
Grow,
Guild,
Harris of Mansfield,
Harris of Windham,
Hartshorn,
Harwood,
Hazen,
Henry,
Hill,
Hinds,
Hodgkins,
Holcomb,
Hollister of Marshfield,
Hollister of Pawlet,
Houghton,
Howard of Andover,
Howard of Benson,
Howe of Vernon,
Howe of Williamstown,
Hyde,
Ingalls,
Jackson,
Janes,
Jewett,
Johnson,
Jones of Dover,
Jones of Waitsfield,
Judson,
Keese,
Keith,
Kent,
Kibby,
Kidder,
Kinsley,
Lackie,
Ladd of Wolcott,
Lamb,
Leavenworth,
Lyon,
Marshall,
Martindale,
Mattison,
May,
McFarland,
McLoud,
Moon,
Moore,
Morrill of Canaan,
Morrill of Danville,
Morse,
Mott,
Naramore,
Needham,
Newell,
Niles,
Norris,
Noyes,
Paddock,
Page of Corinth,
Page of Plainfield,
Page of Westminster,
Park,
Peake,
Peck,
Perkins,
Perry,
Pettibone,
Phelps,
Pond,
Pope,
Powell,
Rice,
Richardson,
Robbins,
Roscoe,
Rowell,
Russ,
Russell,
Sanborn,
Sanford of Castleton,
Sanford of Cornwall,
Scott,
Shattuck,
Sheldon,
Simonds,
Skiff,
Slack,
Small,
Smeed,
Smith of Addison,
Smith of Berkshire,
Smith of Hinesburgh,
Smith of Monkton,
Soule,
Spalding,
Sprague,
Stanton,
Stark,
Stephen,
Stoddard,
Taplin,
Taylor,
Towle,
Tracy,
Turner,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Tyler,
Vilas,
Walker,
Wardner,
Webster of Cabot,
Welch,
Wells,
Wheeler of Reading,
Wheelock,
Whipple,
Whitcomb,
White,
Whitelaw,
Wiggins,
Willis,
Winslow.
Woodbridge,
Wright,—205.

Those who voted in the negative are, Messrs.

Aldrich,
Bump,
Canfield,
Carter,
Kellogg,
Ladd of Grand Isle,
Prentiss,
Shafter,
Van Sicklen,
Warner,
Wheeler of Winhall,
Wiley,—12.

So it passed in the affirmative.

On motion of Mr. Henry, the House proceeded to consider the petition

of Harry Bingham and others, praying for a division of the County of Windsor, which had been ordered to lie on the table.

Mr. Henry moved to commit said petition to the members from the County of Windsor; when

Mr. Wardner moved to lay said petition on the table.

And on the question, will the House order said petition to lie on the table? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Atwood,	Fox,	Phelps,
Austin,	French,	Pond,
Bailey of Elmore,	Fuller,	Prentiss,
Barber of Enosburgh,	Fullerton,	Roscoe,
Barber of Mount Holly,	Goodsill,	Rowell,
Barber of Pownal,	Graves,	Russ,
Barden,	Guild,	Russell,
Barton,	Harris of Windham,	Sanborn,
Bennett,	Hartshorn,	Sanford of Castleton,
Blake,	Harwood,	Sanford of Cornwall,
Bliss,	Hinds,	Scott,
Boardman of Milton,	Holden,	Shafter,
Bogue,	Houghton,	Sheldon,
Bowe,	Howard of Benson,	Simonds,
Bradley,	Howe of Vernon,	Skiff,
Briggs,	Howe of Williamstown,	Slack,
Brigham,	Johnson,	Smeed,
Caldwell of Lincoln,	Jones of Dover,	Smith of Addison,
Canfield,	Judson,	Smith of Berkshire,
Carpenter,	Kellogg,	Smith of Hinesburgh,
Carter,	Kibby,	Soule,
Chamberlin,	Kidder,	Sprague,
Clark,	Kinsley,	Stark,
Cobb of Strafford,	Lackie,	Stoddard,
Colton,	Ladd of Wolcott,	Taylor,
Cummings,	Lamb,	Tracy,
Cushman,	Leavenworth,	Van Sicklen,
Daniels,	Lockwood,	Vilas,
Denison of Burke,	Marshall,	Wardner,
Denison of Hartland,	Moore,	Warner,
Dustin,	Morrill of Danville,	Wheeler of Reading,
Eager,	Morse,	Wheeler of Winhall,
Eames,	Mott,	Wheelock,
Eaton,	Naramore,	Whipple,
Edmonds,	Niles,	Whitcomb,
Ellis,	Noyes,	White,
Emery,	Paddock,	Whitelaw,
Esty,	Page of Corinth,	Wiggins,
Flagg,	Park,	Winslow,
Folsom,	Peake,	Woodbridge,
Foster of Berlin,	Perry,	Wright,—123.

Those who voted in the negative are, Messrs.

Adams,	Bacon,	Baker,
Aiken,	Bailey of Lemington,	Ball,

Barr,
Billings,
Boardman of Hydepark,
Bowman,
Brackett,
Brown of Whiting,
Brown of Whitingham,
Bump,
Caldwell of Mendon,
Charlton,
Clapp,
Cobb of Tinmouth,
Colby,
Cooper,
Davis of Baltimore,
Davis of Norwich,
Douglass of Richmond,
Douglass of Waterbury,
Ellsworth,
Field,
Fish,
Flint of Braintree,
Flint of Lowell,
Foster of Tunbridge,
Gay,
Glazier,
Gould,
Gove,
Harris of Mansfield,
Hazen,
Henry,
Hill,
Hodgkins,
Holcomb,
Hollister of Marshfield,
Hollister of Pawlet,
Howard of Andover,
Hyde,
Ingalls,
Jackson,
Janes,
Jewett,
Jones of Waitsfield,
Keese,
Keith,
Kent,
Ladd of Grand Isle,
Lyon,
May,
McFarland,
McLoud,
Morrill of Canaan,
Needham,
Newell,
Norris,
Page of Plainfield,
Page of Westminster,
Parker,
Peck,
Pope,
Powell,
Rice,
Richardson,
Robbins,
Shattuck,
Small,
Spalding,
Stanton,
Taplin,
Towle,
Turner,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Tyler,
Walker,
Webster of Cabot,
Wells,
Wiley,
Willis,—85.

So it passed in the affirmative.

(H. 53.) Mr. Colby, on leave, introduced a bill entitled "an act in addition to Chapter 9 of the Revised Statutes."

Which was read the first time and referred to a select committee of five.

The remonstrance of William B. Bascom and others, against increasing the toll on the Sherburne Turnpike, was referred to the Committee on Roads.

A message, in writing, from the Governor, received this forenoon, was read as follows:

To the Speaker of the House of Representatives:

I have the honor to transmit to the House of Representatives, for the use of the General Assembly, the annual report of the Quarter Master General, with the returns of the military property of the State, under his charge.

I would call the attention of the General Assembly particularly to the suggestion in the latter part of the report, in regard to the propriety of suspending the operation of the law of 1841.

CHARLES PAINE.

EXECUTIVE CHAMBER, October 21, 1842.

The Report of the Quarter Master General, transmitted by said message, was referred to the Committee on Military Affairs, on motion of Mr. Carpenter.

The House adjourned.

AFTERNOON.

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

Mr. Speaker:—I am directed by his Excellency the Governor to communicate to the House of Representatives, for the use of the General Assembly, the report of the Commissioners of the Deaf and Dumb, and the Blind, and Insane; the Auditor's Abstract of Orders drawn on the Treasurer; the report of the Auditor in the Treasury Department; and the report of the Auditor in the Treasury Department on the School Fund.

On motion of Mr. Harrington, the House proceeded to the consideration of the report of the Committee of Elections, on the remonstrance of John Hicks against the election of John H. Mattison, the returned member from the town of Glastenbury, as stated in the journal of yesterday.

Mr. Harrington moved to recommit said remonstrance and report to the Committee of Elections.

And on the question, will the House order the recommitment thereof, as thus moved? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,	French,	Morrill of Canaan,
Aldrich,	Fuller,	Morrill of Danville,
Bacon,	Glazier,	Morse,
Bailey of Elmore,	Goodsill,	Needham,
Bailey of Lemington,	Gould,	Niles,
Baker,	Gove,	Norris,
Barr,	Griggs,	Page of Corinth,
Barber of Pownal,	Grow,	Page of Plainfield,
Bennett,	Harrington,	Page of Westminster,
Billings,	Harris of Mansfield,	Parker,
Boardman of Hydepark,	Hazen,	Peck,
Brackett,	Henry,	Perkins,
Bradley,	Hill,	Pettibone,
Brigham,	Hodgkins,	Phelps,
Brown of Whitingham,	Holcomb,	Powell,
Caldwell of Mendon,	Hollister of Marshfield,	Rice,
Charlton,	Houghton,	Rowell,
Cobb of Strafford,	Ingalls,	Sanborn,
Colby,	Jones of Dover,	Scott,
Colton,	Keith,	Shattuck,
Davis of Norwich,	Kent,	Small,
Douglass of Richmond,	Kibby,	Smith of Monkton,
Douglass of Waterbury,	Ladd of Wolcott,	Soule,
Eager,	Marshall,	Spalding,
Eaton,	Martindale,	Taylor,
Ellsworth,	May,	Turner,
Flint of Braintree,	McFarland,	Tyler,
Flint of Lowell,	McLoud,	Vilas,
Folsom,	Moon,	Walker,

Webster of Cabot, Wells, Wiggins,—92.
Webster of Colchester, Wheelock,

Those who votsd in the negative are, Messrs.

Aiken, Fox, Pond,
Atwood, Fullerton, Prentiss,
Ball, Gay, Richardson,
Barber of Enosburgh, Graves, Robbins,
Barber of Mount Holly, Green, Roscoe,
Barden, Guild, Ross,
Barney, Harris of Windham, Russ,
Barton, Hartshorn, Russell,
Blake, Harwood, Sanford of Castleton,
Bliss, Hinds, Sanford of Cornwall,
Boardman of Milton, Holden, Shafter,
Bogue, Hollister of Pawlet, Sheldon,
Bottum, Howard of Andover, Simonds,
Bowe, Howard of Benson, Skiff,
Bowman, Howe of Vernon, Slack,
Briggs, Howe of Williamstown, Smeed,
Brooks, Hyde, Smith of Addison,
Bump, Jackson, Smith of Hinesburgh,
Caldwell of Lincoln, Janes, Sprague,
Canfield, Jewett, Stark,
Carpenter, Johnson, Stoddard,
Chamberlin, Jones of Waitsfield, Taplin,
Clapp, Keese, Towle,
Clark, Kellogg, Tracy,
Cobb of Tinmouth, Kidder, Tuttle of Sandgate,
Cooper, Kinsley, Tuttle of Weathersfield,
Cummings, Lackie, Van Sicklen,
Daniels, Ladd of Grand Isle, Wardner,
Davis of Baltimore, Lamb, Warner,
Denison of Burke, Leavenworth, Wheeler of Reading,
Denison of Hartland, Lockwood, Wheeler of Winhall,
Eames, Lyon, Whipple,
Edmonds, Moore, Whitcomb,
Ellis, Mott, Whitelaw,
Esty, Newell, Wiley,
Field, Noyes, Willis,
Fish, Paddock, Winslow,
Foster of Berlin, Park, Woodbridge,
Foster of Tunbridge, Perry, Wright,—117.

So it was decided in the negative.

When
The House adjourned.

SATURDAY, OCT. 22, 1842.

Prayer by Rev. Mr. Gridley.

Mr. Needham introduced the following resolution:

Resolved, That the Judiciary Committee be directed to inquire into the expediency of providing by law, for having a roll or check list kept of the names of all persons who vote for Governor and other State officers, at the annual freemen's meeting.

Which was read and passed.

Mr. Harrington introduced the following resolution:

Whereas, the Hon. William Hebard was elected Fourth Assistant Justice of the Supreme Court on the 19th instant, and whereas, also, the said Hebard, by retaining his seat as a member of this House, has indicated his intention not to accept said appointment; therefore,

Resolved, by the Senate and House of Representatives, That both Houses meet in joint assembly on Monday next, at three o'clock in the afternoon, to elect a fourth assistant Justice of the Supreme Court.

Which was read, and ordered to lie on the table, on motion of Mr. Canfield.

The House resumed the consideration of the report of the Committee of Elections on the remonstrance of John Hicks against the election of John H. Mattison, the returned member from the town of Glastenbury, which was pending at the adjournment yesterday; and the question recurred on the resolution reported by said Committee, which is as follows:

Resolved, That John H. Mattison, the returned member from the town of Glastenbury, is not entitled to a seat in this House.

And the question was stated, shall the resolution pass? and being taken, it passed in the affirmative.

Mr. Parker introduced the following resolution:

Whereas, James McM. Shafter Esq. was duly elected, on Wednesday, the 19th instant, to the office of Secretary of State for the ensuing year; and whereas, the said James McM. Shafter neglects to perform the duties of said office; therefore,

Resolved, by the Senate and House of Representatives, That both Houses meet in joint assembly on Monday next, at three o'clock in the afternoon, to elect a Secretary of State.

Which was read, and ordered to lie on the table, on motion of Mr. Harrington.

Mr. Baker introduced the following resolution:

Whereas, on the 14th instant, Joseph Poland was duly elected to the office of Assistant Clerk of this House; and whereas the said Joseph Poland neglects to discharge the duties of said office; therefore,

Resolved, That the House now proceed to elect an Assistant Clerk.

Which was read, and on motion of Mr. Shafter,

Ordered, That said resolution lie on the table, and be made the order of the day for Tuesday morning next.

A message, in writing, was received from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs, which was delivered in to the Speaker's table.

Mr. Keith introduced the following resolution:

Whereas, Ambrose L. Brown was duly elected to the office of Engrossing Clerk, on the 14th instant; and whereas, the said Ambrose L. Brown neglects to perform the duties of said office; therefore,

Resolved, That we now proceed to the election of an Engrossing Clerk.

Which was read.

Mr. Canfield moved to dismiss said resolution.

And on the question, shall the resolution be dismissed? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Aiken,	Esty,	Lockwood,
Aldrich,	Field,	Lyon,
Ambler,	Fish,	Martindale,
Atwood,	Flagg,	Moore,
Bailey of Elmore,	Flint of Braintree,	Morrill of Danville,
Ball,	Folsom,	Morse,
Barber of Mount Holly,	Foster of Berlin,	Mott,
Barden,	Foster of Tunbridge,	Newell,
Barton,	Fox,	Noyes,
Billings,	French,	Page of Corinth,
Blake,	Fullerton,	Park,
Bliss,	Goodsill,	Parker,
Boardman of Milton,	Graves,	Peake,
Bogue,	Green,	Peck,
Bottum,	Griggs,	Perkins,
Bowe,	Guild,	Perry,
Bowman,	Harrington,	Pettibone,
Brackett,	Harris of Windham,	Pond,
Briggs,	Hartshorn,	Powell,
Brooks,	Harwood,	Prentiss,
Brown of Whiting,	Henry,	Richardson,
Brown of Whitingham,	Hill,	Roscoe,
Bump,	Hinds,	Russ,
Caldwell of Lincoln,	Holden,	Sanford of Castleton,
Canfield,	Hollister of Pawlet,	Sanford of Cornwall,
Carter,	Howard of Andover,	Shafter,
Chamberlin,	Howard of Benson,	Simonds,
Clapp,	Howe of Vernon,	Skiff,
Clark,	Howe of Williamstown,	Slack,
Cobb of Strafford,	Hyde,	Smeed,
Cobb of Tinmouth,	Janes,	Smith of Addison,
Colby,	Jewett,	Smith of Berkshire,
Cooper,	Johnson,	Sprague,
Cummings,	Jones of Dover,	Stark,
Cushman,	Jones of Waitsfield,	Stoddard,
Daniels,	Keese,	Towle,
Davis of Baltimore,	Kellogg,	Tracy,
Davis of Norwich,	Kibby,	Turner,
Dewing,	Kinsley,	Tuttle of Sandgate,
Denison of Burke,	Lackie,	Tuttle of Weathersfield,
Denison of Hartland,	Ladd of Grand Isle,	Van Sicklen,
Eames,	Ladd of Wolcott,	Wardner,
Eaton,	Lamb,	Warner,
Ellis,	Leavenworth,	Wheeler of Reading,

Wheelock,	White,	Woodbridge,
Whipple,	Whitelaw,	Wright,—140.
Whitcomb,	Wiley,	

Those who voted in the negative are, Messrs.

Adams,	Flint of Lowell,	Morrill of Canaan,
Bailey of Lemington,	Fuller,	Needham,
Baker,	Glazier,	Norris,
Barr,	Gould,	Page of Plainfield,
Barber of Pownal,	Grow,	Pope,
Bennett,	Hazen,	Rowell,
Boardman of Hydepark,	Hodgkins,	Sanborn,
Bradley,	Holcomb,	Scott,
Brigham,	Hollister of Marshfield,	Shattuck,
Caldwell of Mendon,	Houghton,	Small,
Charlton,	Ingalls,	Soule,
Colton,	Judson,	Spalding,
Douglass of Richmond,	Keith,	Taplin,
Douglass of Waterbury,	Kent,	Vilas,
Eager,	McFarland,	Webster of Cabot,
Ellsworth,	McLoud,	Willis,—48.

So it passed in the affirmative.

(H. 54.) Mr. Van Sicklen, on leave, introduced a bill entitled "an act to pay Hyman Lane the sum therein mentioned."

Which was read the first time and referred to the Committee of Claims.

(H. 55.) Mr. Robbins, on leave, introduced a bill entitled "an act to pay Royal Flint the sum therein mentioned."

Which was read the first time and referred to the Committee of Claims.

(H. 56.) Mr. Pond, on leave, introduced a bill entitled "an act for the preservation of muskrats."

Which was read the first time and referred to the General Committee.

(H. 57.) Mr. Wiggins, on leave, introduced a bill entitled "an act to repeal Chapter 110 of the Revised Statutes."

Which was read the first time and referred to the General Committee.

Mr. Warner introduced the following resolution:

Resolved, That the Clerk of the House be directed to make and deliver to John H. Mattison, the returned member from the town of Glastenbury, whose seat has been vacated, a certificate of his travel and attendance, and that the Treasurer be directed to pay the same.

Which was read and passed.

Mr. Shafter, from the Committee of Elections, to which was referred the remonstrance of Nathaniel W. French and others, against the right to a seat in this House of Jonah Brooks jr., the returned member from the town of Lunenburgh, reported the following resolution:

Resolved, That Jonah Brooks jr., the returned member from the town of Lunenburgh, was duly elected, and is entitled to a seat in this House.

Which was read and passed.

Mr. Baker, from the same Committee, submitted the following report:

To the House of Representatives now in session:

Your Committee of Elections, to whom was referred a resolution instructing them to inquire whether any persons, holding offices of trust or

profit under the authority of Congress, are holding seats as members of this House, respectfully report,—

That Lucius Denison, the sitting member from Burke, was a postmaster at the time of his election, and recommend the accompanying resolution.

JOSEPH BAKER, *for Committee.*

The accompanying resolution is as follows:

Resolved, That Lucius Denison, the returned member from the town of Burke, is not entitled to a seat in this House.

Which was read and passed.

Mr. Harrington, from the same Committee, to which was referred the remonstrance of Chauncey Bishop and others, against the election of Jonathan Houghton, the returned member from Readsboro', submitted the following report:

To the House of Representatives now in session:

Your Committee of Elections, to whom was referred the remonstrance of Chauncey Bishop and others, against the claim of Jonathan Houghton to a seat in this House, as a member from the town of Readsboro', present the following report:

The credentials of the said Jonathan Houghton, while they show that he received a majority of all the votes, at a freemen's meeting legally warned and holden in said town of Readsboro', on the first Tuesday in September, A. D. 1842, for a representative of said town in this body, for the term of one year then next ensuing, at the same time show that said Houghton had not resided in said town of Readsboro' for the term of one year next preceding his election. And your Committee recommend the passage of the following resolution.

C. B. HARRINGTON, *for Committee.*

The resolution reported is as follows:

Resolved, That Jonathan Houghton, the returned member from the town of Readsboro', is not entitled to a seat in this House.

Which was read and passed.

A message, in writing, from the Governor, received this morning, was read as follows:

To the House of Representatives:

I have the honor to transmit to the House of Representatives, for the use of the General Assembly, the bill reported by the Committee ordered to be appointed at your last session, to revise the militia laws.

I have, also, transmitted to the Senate the Report of the Committee on Education.

CHARLES PAINE.

EXECUTIVE CHAMBER,
October 22, 1842.

(H. 58.) The said bill, reported by said Committee appointed to revise the militia laws, entitled "an act relating to the militia," was considered, and on motion of Mr. Cushman, it was

Ordered, That said bill lie on the table, and that three hundred copies thereof be printed for the use of the House.

(H. 59.) Mr. Woodbridge, on leave, introduced a bill entitled "an act to amend 'an act relating to banks,' approved October 28th, 1840."

Which was read the first time and referred to the Committee on Banks.

(H. 60.) Mr. Holden, on leave, introduced a bill entitled "an act in relation to the Winooski Turnpike."

Which was read the first time and referred to the Committee on Roads.

(H. 61.) Mr. Perry, on leave, introduced a bill entitled "an act in alteration of 'an act altering the boundary line between Salisbury and Leicester.'"

Which was read the first time and referred to the General Committee.

(H. 62.) Mr. Flint of Lowell, on leave, introduced a bill entitled "an act to encourage the raising of wheat."

Which was read the first time and referred to the Committee of Agriculture.

Mr. Jones of Waitsfield introduced the following resolution:

Resolved, by the Senate and House of Representatives, That each House, respectively, on Wednesday next, at ten o'clock, A. M., shall proceed to elect a Senator to represent this State in the Congress of the United States, to supply the vacancy caused by the resignation of the Hon. Samuel Prentiss, and that both Houses immediately thereafter shall convene in joint assembly to complete said election.

Which was read and passed.

Mr. Pettibone introduced the following resolution:

Resolved, That the Clerk of this House be directed to make and deliver to Jonathan Houghton, the returned member from Readsboro', who has been refused a seat in this House, a certificate of his travel and attendance, and that the Treasurer be directed to pay the same.

Which was read.

And on the question, shall the resolution pass? the yeas and nays, having been demanded, were taken and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,	Colby,	Goodsill,
Aiken,	Colton,	Gould,
Aldrich,	Cummings,	Graves,
Atwood,	Daniels,	Griggs,
Bailey of Elmore,	Davis of Baltimore,	Grow,
Baker,	Davis of Norwich,	Guild,
Barr,	Dewing,	Harrington,
Barber of Pownal,	Denison of Hartland,	Harris of Windham,
Barney,	Eager,	Harwood,
Barton,	Eames,	Hazen,
Bennett,	Eaton,	Henry,
Billings,	Ellis,	Hill,
Bliss,	Ellsworth,	Hinds,
Bogue,	Esty,	Hodgkins,
Bottum,	Fish,	Holcomb,
Brackett,	Flagg,	Holden,
Bradley,	Flint of Braintree,	Hollister of Marshfield,
Briggs,	Flint of Lowell,	Hollister of Pawlet,
Brigham,	Folsom,	Houghton,
Brown of Whitingham,	Foster of Berlin,	Howard of Andover,
Bump,	Foster of Tunbridge,	Howard of Benson,
Canfield,	Fox,	Howe of Vernon,
Chamberlin,	French,	Hyde,
Charlton,	Fuller,	Ingalls,
Clapp,	Fullerton,	Janes,
Cobb of Strafford,	Gay,	Jewett,
Cobb of Tinmouth,	Glazier,	Johnson,

Jones of Dover,	Page of Plainfield,	Smith of Addison,
Jones of Waitsfield,	Park,	Smith of Berkshire,
Judson,	Parker,	Smith of Monkton,
Kellogg,	Peck,	Soule,
Kent,	Perkins,	Spalding,
Kibby,	Perry,	Sprague,
Kinsley,	Pettibone,	Stark,
Lackie,	Phelps,	Stoddard,
Ladd of Grand Isle,	Pond,	Taplin,
Ladd of Wolcott,	Powell,	Towle,
Lamb,	Rice,	Tracy,
Leavenworth,	Richardson,	Turner,
Lockwood,	Robbins,	Tuttle of Sandgate,
Lyon,	Roscoe,	Tuttle of Weathersfield,
Martindale,	Rowell,	Vilas,
May,	Russ,	Wardner,
McFarland,	Sanborn,	Webster of Cabot,
McLoud,	Sanford of Castleton,	Wheeler of Reading,
Moon,	Sanford of Cornwall,	Wheelock,
Moore,	Scott,	Whipple,
Morrill of Canaan,	Shafter,	Whitcomb,
Morrill of Danville,	Shattuck,	White,
Morse,	Sheldon,	Whitelaw,
Needham,	Slack,	Wiggins,
Norris,	Small,	Wiley,
Page of Corinth,	Smeed,	Willis,—159.

Those who voted in the negative are, Messrs.

Noyes,	Van Sicklen,	Woodbridge,—4.
Skiff,		

So it passed in the affirmative.

Mr. Canfield introduced the following resolution:

Resolved, That the Clerk of this House be directed to make and deliver to Lucius Denison, the returned member from Burke, whose seat has been vacated, a certificate of his travel and attendance, and that the Treasurer be directed to pay the same.

Which was read and passed.

(H. 63.) Mr. Cushman, on leave, introduced a bill entitled "an act to pay Asa Gaines the sum therein mentioned."

Which was read the first time and referred to the Committee of Claims

Mr. Moore introduced the following resolution:

Resolved, That the Committee on Education be requested to inquire into the expediency of passing a law, requiring instructors of common schools to procure certificates of their qualifications, signed by some person or persons competent to judge of such qualifications, before entering upon their duties of instructing.

Which was read and passed.

Mr. Hollister of Pawlet introduced the following resolution:

Resolved, That the Committee on Education be directed to inquire into the expediency of providing for the appointment of a committee, in each town in this State, to examine and approbate teachers of common schools, and to visit and examine the schools.

Which was read and ordered to lie on the table.

On motion of Mr. Pettibone,

Resolved, That when the House adjourns, it adjourn to Monday morning next.

The House proceeded to consider the following documents, which were yesterday transmitted to the House by the Governor, namely:

The Report of the Commissioners of the Deaf and Dumb, the Blind, and the Insane.

The Abstract of orders drawn by the Auditor of Accounts on the Treasurer since October 5th, 1841.

The Report of the Auditor in the Treasury Department.

The Report of the Auditor in the Treasury Department on the School Fund.

Ordered, That said papers lie on the table, and that three hundred copies of each of them be printed for the use of the House.

The House adjourned.

MONDAY, OCT. 24, 1842.

Prayer by Rev. Eli Ballou.

The Speaker announced the appointment of the following select committees:

(H. 53.) On the bill entitled "an act in addition to Chapter 9 of the Revised Statutes," Messrs. Colby, Woodbridge, Van Sicklen, Warner, Bottum.

On the resolution of inquiry into the expediency of reducing the number of Commissioners of the Deaf and Dumb, and the Blind, introduced by Mr. Wardner on the 17th instant, Messrs. Wardner, Pettibone, Barney.

On the resolution referring to committee so much of the Governor's message as relates to a geological survey of the State, Messrs. Shafter, Prentiss, Henry, Roscoe, Jones of Dover.

On the petition of Charles Miller, praying for the passage of a law enabling him to hold real estate, Messrs. Barr, Clapp, Goodsill.

(H. 46.) On the bill entitled "an act in alteration of the law relating to the grand list," Messrs. Whipple, Ellis, Page of Westminster, Foster of Berlin, Soule.

Committee on the part of the House to examine the State Library, Messrs. Jones of Waitsfield, Parker, Carter.

On the Committee to make up the Grand List, Mr. Lackie, in the place of Mr. Denison of Burke, whose seat has been vacated.

The memorial of Walco Tucker and others, upon the militia law, was referred to the Committee on Military Affairs.

Mr. Baker, from the select committee appointed by resolution, to inquire whether any persons, holding offices of trust or profit under the General

Government, are holding offices of trust or profit under this State, presented the following report:

To the House of Representatives now in session:

Your committee to inquire whether any persons, holding offices of trust and profit under the General Government, are also holding offices of trust and profit under the State of Vermont, respectfully report,—

That Henry Stowell, appointed at the last session of the General Assembly one of the Commissioners of the Deaf and Dumb and the Blind in this State, is a Post Master in the town of Cambridge, and was so at the time of his last appointment as such Commissioner, and is now holding both offices, contrary to the Constitution of the State of Vermont.

Your committee further report that said Stowell has presented to the Auditor of Accounts against the State a charge of one hundred and fifty-eight dollars and four cents, for services as Commissioner of the Deaf and Dumb and the Blind for the past year, while he was holding the said office of Post Master, and we recommend the passage of the accompanying resolution.

All of which is respectfully submitted.

JOSEPH BAKER, *for Committee.*

The accompanying resolution was read as follows:

Resolved, by the Senate and House of Representatives, That Henry Stowell, Post Master at Cambridge, was not constitutionally eligible to the office of Commissioner of the Deaf and Dumb and the Blind at the time of his last election, and has had no right to perform the duties of such Commissioner during the past year.

On motion of Mr. Canfield,

Ordered, That said report and resolution lie on the table, and be made the order of the day for this afternoon.

(H. 64.) Mr. Roscoe, from the Committee of Claims, to which was referred the petition of William Cutts, praying that a sum of money paid by him may be refunded, reported a bill entitled "an act to pay William Cutts the sum therein mentioned."

Which was read the first and second time.

Ordered, That said bill be engrossed and read the third time.

(H. 34.) Mr. Van Sicklen, from the same Committee, to which was referred the bill entitled "an act to pay Lucius H. Massure the sum therein mentioned," reported that said bill ought not to pass.

Mr. Roscoe moved to dismiss said bill; and the question being taken, it passed in the affirmative.

(H. 17.) Mr. Smith of Berkshire, from the committee composed of the members from Franklin County, to which was referred the bill entitled "an act annexing Johnson's Island to the town of St. Albans," reported the same without amendment; and said bill was read the second time.

Ordered, That it be engrossed and read the third time tomorrow morning.

(H. 28.) Mr Smith of Berkshire, from the Committee of Claims, to which was referred the bill entitled "an act to pay Ebenezer W. Babcock the sum therein mentioned," reported that the same ought not to pass.

And said bill was dismissed, on motion of Mr. Smith of Berkshire.

(H. 65.) Mr. Bailey of Lemington, on leave, introduced a bill entitled "an act to annex the town of Norton to Essex County."

Which was read the first time, and referred to the select committee raised on the bill (H. 53) entitled "an act in addition to Chapter 9 of the Revised Statetes."

(H. 66.) Mr. Bailey of Elmore, from the General Committee, to which was referred the petition of Harry Holden, praying that Samuel F. Smith may be constituted his legal heir, reported a bill entitled "an act constituting Samuel F. Smith an heir-at-law of Harry Holden."

Which was read the first and second time.

Ordered, That said bill be engrossed and read the third time.

(H. 67.) Mr. Roscoe, from the Committee of Claims, to which was referred the claim of the town of Manchester against the State. for an error in their State tax, disallowed by the Auditor of Accounts, reported a bill entitled "an act to credit the town of Manchester the sum therein mentioned."

Which was read the first and second time.

Ordered, That said bill be engrossed and read the third time.

(H. 23.) Mr. Van Sicklen, from the same Committee, to which was referred the bill entitled "an act to pay Truman Hardy the sum therein mentioned," reported that the same ought not to pass.

And said bill was dismissed, on motion of Mr. Graves.

On motion of Mr. Wardner, the Committee of Ways and Means was discharged from the further consideration of the resolution, introduced by Mr. Ball on the 18th instant, instructing said Committee to consider the present listing law and report amendments thereto.

And said resolution was ordered to lie on the table, on motion of Mr. Harris of Windham.

On motion of Mr. Wardner, the said Committee of Ways and Means was discharged from the further consideration of the resolution, introduced by Mr. Jones of Dover on the 18th instant, instructing said Committee to inquire into the expediency of so altering the listing law as to set the polls in the list at three dollars.

On motion of Mr. Wardner, the same Committee was discharged from the further consideration of the resolution, introduced by Mr. Peck on the 18th instant, instructing said Committee to inquire into the expediency of so altering the listing law as, to assess the faculties and libraries of professional men.

(H. 55.) Mr. Van Sicklen, from the Committee of Claims, to which was referred the bill entitled "an act to pay Royal Flint the sum therein mentioned," reported that the same ought not to pass.

And said bill was dismissed, on motion of Mr. Van Sicklen.

(H. 68.) Mr. Barr, on leave, introduced a bill entitled "an act in addition to Chapter 20 of the Revised Statutes."

Which was read the first time and referred to the Committee on Roads.

(H. 69.) Mr. Wright, on leave, introduced a bill entitled "an act to repeal section second of 'an act in addition to the several acts regulating and governing the militia,' approved November 11, 1841."

Which was read the first time and referred to the Committee of Ways and Means.

(H. 70.) Mr. Brown of Whitingham, on leave, introduced a bill entitled

"an act in alteration of section 32 of Chapter 18 of the Revised Statutes."

Which was read the first time and referred to the Committee on Education.

(H. 71.) Mr. Gould, on leave, introduced a bill entitled "an act directing the Treasurer to credit the town of Guildhall the sum therein mentioned."

Which was read the first time and referred to the Committee of Claims.

(H. 72.) Mr. Davis of Norwich, on leave, introduced a bill entitled "an act in addition to Chapter 41 of the Revised Statutes."

Which was read the first time and referred to the Judiciary Committee.

Mr. Field introduced the following resolution:

Resolved, That the Judiciary Committee be instructed to inquire into the expediency of so explaining the 23d section of Chapter 106 of the Revised Statutes, that the method of taxing costs therein named shall apply to justice courts.

Which was read and passed.

Mr. Van Sicklen, from the Committee of Claims, to which was referred the petition of Henry H. Robinson, praying for remuneration for apprehending a felon, reported that the prayer thereof ought not to be granted; which report was concurred in.

Ordered, That the petitioner have leave to withdraw his petition.

Mr. Van Sicklen, from the same Committee, to which was referred the petition of Edward G. Babcock, praying that relief may be afforded him for an injury received while in the employment of this State, submitted the following report:

The Committee of Claims, to whom was referred the petition of Edward G. Babcock, that relief may be afforded him for an injury received while in the employment of the State, beg leave to report,—

That the said Edward G. Babcock was, in the month of September, 1830, employed as a carpenter and joiner in the service of the State on the Vermont State Prison, and that, while so employed, he, by mischance or accident, fell from the upper floor of the Prison a distance of about 32 feet, and dislocated both wrists, and received a serious injury across his back, and by reason of said fall he was disenabled for nearly a year, and has not to this day fully recovered from the injury received in consequence of the fall.

JOHN VAN SICKLEN, *for Committee.*

On motion of Mr. Wardner,

Ordered, That said report and petition lie on the table.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—The Senate have appointed as the committee, on their part, on the joint committee to examine and report the condition of the State Library, the following gentlemen, namely:

Messrs. Blodgett, Barrett, Cutts.

(H. 73.) Mr. Prentiss, on leave, introduced a bill entitled "an act to repeal 'an act relating to the Grand List,' approved November 11, 1841."

Which was read the first time and referred to the Committee to make up the Grand List.

On motion of Mr. Canfield, the resolution, introduced by Mr. Peck on the 21st instant, relative to the tariff bill, enacted at the last session of

Congress, was referred to the select committee ordered to be raised by the resolution, referring to committee so much of the Governor's message as relates to a tariff of protection.

(H. 74.) Mr. Woodbridge, on leave, introduced a bill entitled "an act in relation to the privilege of witnesses."

Which was read the first time and referred to the Judiciary Committee.

Mr. Field introduced the following resolution:

Resolved, That the Committee on Roads be requested to inquire into the expediency of providing by law for appointing road commissioners in the several counties in this State.

Which was read and passed.

The House adjourned.

AFTERNOON.

Mr. Graves introduced the following resolution:

Resolved, by the Senate and House of Representatives, That the Governor be requested to appoint Thursday, the first day of December next, to be observed as a day of thanksgiving throughout this State.

Which was read and passed.

(H. 75.) Mr. Harrington, on leave, introduced a bill entitled "an act to repeal section second of 'an act in addition to the several acts regulating and governing the militia of this State,' approved November 11, 1841."

Which was read the first time and referred to the Committee on Military Affairs, with instructions to report thereon at the opening of the House tomorrow morning.

The Speaker announced the appointment of the following gentlemen as the committee ordered to be raised by the resolution, referring to committee so much of the Governor's message as relates to a tariff of protection, namely:

Messrs. Wardner, Harrington, Howe of Vernon, Cobb of Strafford, Smith of Hinesburgh.

The petition of Wyman S. Walker was referred to a select committee of three.

The petition of Ira Coolidge and others was referred to the committee ordered to be raised on the petition of Wyman S. Walker.

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

Mr. Speaker:—I am directed by his Excellency the Governor to communicate to the House of Representatives, for the use of the General Assembly, the Report of the Treasurer upon the Safety Fund.

The House proceeded to consider said Report of the Treasurer, upon the Safety Fund, and, on motion of Mr. Howe of Vernon, it was

Ordered, That said Report lie on the table, and that three hundred copies thereof be printed for the use of the House.

(H. 76.) Mr. Stoddard, on leave, introduced a bill entitled "an act in amendment of 'an act laying a tax on the lands in Newark,' approved November 11, 1841."

Which was read the first time and referred to the Land Tax Committee.

(H. 77.) Mr. Bottum, on leave, introduced a bill entitled "an act relating to the United States surplus money deposited with this State."

Which was read the first time and referred to the Committee on Education.

The Speaker laid before the House the report of the Committee appointed at the last session of the General Assembly, to investigate the situation and concerns of the Bank of Essex County. [See Appendix.]

Which report was read, and on motion of Mr. Davis of Norwich, it was

Ordered, That said report lie on the table, and that five hundred copies thereof be printed for the use of the House.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—The Senate have passed bills of the following titles, in which they request the concurrence of the House of Representatives, namely:

(S. 20.) "An act to pay the persons therein named the sum therein mentioned."

(S. 22.) "An act in addition to Chapter 69 of the Revised Statutes."

The Senate concur in passing the resolution providing for the election of a Senator to represent this State in the Congress of the United States, to supply the vacancy caused by the resignation of the Hon. Samuel Prentiss.

(H. 78.) Mr. Vilas, on leave, introduced a bill entitled "an act to amend Chapter 24 of the Revised Statutes."

Which was read the first time and referred to the Judiciary Committee.

Mr. Cushman, from the Committee on Military Affairs, to which was referred the petition of John Davis and others, praying to be set to the second Regiment of the Militia, reported that the prayer thereof ought not to be granted.

On motion of Mr. Canfield,

Ordered, That said petition and report lie on the table.

The petition of John M. Potter was referred to the Committee of Claims.

(S. 20.) The bill from the Senate entitled "an act to pay the persons therein named the sum therein mentioned" was read the first time, and referred to the Committee of Claims.

(S. 22.) The bill from the Senate entitled "an act in addition to Chapter 69 of the Revised Statutes" was read the first time, and referred to the Committee of Agriculture.

Mr. Morrill of Danville introduced the following resolution:

Resolved, That a committee of one member from each county be appointed, to make up the debentures of the House of Representatives.

Which was read and passed.

Mr. Canfield introduced the following resolution:

Resolved, That the petition of John Davis and others be recommitted to

the Committee on Military Affairs, with instructions to report a bill annexing Company No. 7, first Regiment, first Division, of the Militia of this State, to Regiment No. 2, of the same Division.

Which was read.

Mr. Davis of Norwich moved to dismiss said resolution; and the question being put, it passed in the affirmative.

The House adjourned.

TUESDAY, OCT. 25, 1842.

Prayer by Rev. Mr. Kellogg.

The Speaker announced the appointment of the following committees:

On the petition of Wyman S. Walker, praying to be restored to his legal privileges, Messrs. Woodbridge, Davis of Norwich, Smith of Addison.

On the resolution directing the appointment of a committee to make up the debentures of the House, Messrs. Barton, Judson, Sanford of Castleton, Lamb, Smith of Addison, Grow, White, Folsom, Bradley, Ellsworth, Boardman of Hydepark, Esty, Hartshorn, Ladd of Grand Isle.

Mr. Sprague, from the Committee on Roads, to which was referred the resolution instructing said Committee to inquire into the expediency of providing by law for appointing road commissioners in the several counties, reported that it is inexpedient to create any such officers.

The Speaker laid before the House a communication from the Hon. William Hebard, the representative from the town of Randolph, which was read as follows:

HON. ANDREW TRACY,

Speaker of the House of Representatives:

SIR:—Having been elected to the office of fourth Assistant Judge of the Supreme Court, I hereby resign my seat in the House as representative from the town of Randolph, and desire through you to communicate my resignation to the House.

And while taking leave, allow me to express the pleasurable emotions which I feel for the *kindness* and the *courtesy* which I have received from you, personally, as well as from each member of the House thus far, during the session.

I have the honor to be, very respectfully,

Your obedient servant,

WILLIAM HEBARD.

MONTPELIER, Octo. 25, 1842.

(H. 64.) The engrossed bill entitled "an act to pay William Cutts the sum therein mentioned" was read the third time and passed.

On motion of Mr. Baker, the House proceeded to consider the report of

the select committee appointed to inquire whether any persons, holding offices of trust and profit under the General Government, are holding offices of trust and profit under this State, as stated in the journal of yesterday.

On motion of Mr. Harrington,

Ordered, That said report lie on the table.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—The Senate have passed a bill (S. 11) entitled "an act in addition to Chapter 97 of the Revised Statutes," in which they request the concurrence of the House of Representatives.

Mr. Joseph Poland, Assistant Clerk elect, presented himself at the bar of the House, and was duly sworn.

On motion of Mr. Bowman, the House proceeded to consider the petition of Harry Bingham and others, praying for a division of the County of Windsor into two counties.

Mr. Bowman moved to commit said petition to the members from the County of Windsor.

And on the question, will the House order the proposed commitment? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,	Davis of Norwich,	Ingalls,
Aiken,	Douglass of Richmond,	Johnson,
Aldrich,	Eames,	Jones of Waitsfield,
Bailey of Elmore,	Eaton,	Judson,
Bailey of Lemington,	Edmonds,	Keith,
Ball,	Ellis,	Kent,
Barr,	Emery,	Kibby,
Barber of Mount Holly,	Esty,	Kidder,
Barber of Pownal,	Fish,	Ladd of Grand Isle,
Barden,	Flint of Braintree,	Lockwood,
Barton,	Flint of Lowell,	Lyon,
Bennett,	Folsom,	Martindale,
Billings,	Fuller,	May,
Blake,	Gay,	McLoud,
Bliss,	Glazier,	Moore,
Boardman of Hydepark,	Gould,	Morrill of Canaan,
Bowman,	Gove,	Needham,
Brackett,	Griggs,	Norris,
Bradley,	Grow,	Paddock,
Brigham,	Harris of Mansfield,	Page of Corinth,
Brooks,	Harris of Windham,	Page of Plainfield,
Brown of Whiting,	Hazen,	Page of Westminster,
Brown of Whitingham,	Henry,	Parker,
Bump,	Hill,	Perkins,
Carpenter,	Hodgkins,	Perry,
Carter,	Holcomb,	Pettibone,
Charlton,	Hollister of Marshfield,	Phelps,
Cobb of Strafford,	Hollister of Pawlet,	Pope,
Colby,	Houghton,	Powell,
Colton,	Howard of Andover,	Richardson,
Cooper,	Howe of Williamstown,	Robbins,
Davis of Baltimore,	Hyde,	Rowell,

Sanborn,	Turner,	Wells,
Scott,	Tuttle of Weathersfield,	Wheeler of Winhall,
Smeed,	Tyler,	Whipple,
Spalding,	Walker,	Wiggins,
Stilphen,	Wardner,	Wiley,
Taplin,	Webster of Cabot,	Willis,—115.
Towle,		

Those who voted in the negative are, Messrs.

Atwood,	Howe of Vernon,	Shafter,
Austin,	Janes,	Sheldon,
Barney,	Jewett,	Simonds,
Boardman of Milton,	Jones of Dover,	Skiff,
Bogue,	Kellogg,	Slack,
Bottum,	Kinsley,	Small,
Bowe,	Lackie,	Smith of Addison,
Canfield,	Ladd of Wolcott,	Smith of Barton,
Chamberlin,	Lamb,	Smith of Monkton,
Clark,	Leavenworth,	Soule,
Cobb of Tinmouth,	McFarland,	Sprague,
Cummings,	Morrill of Danville,	Stark,
Daniels,	Morse,	Stoddard,
Denison of Hartland,	Mott,	Tracy,
Eager,	Niles,	Tuttle of Sandgate,
Field,	Noyes,	Van Sicklen,
Flagg,	Park,	Vilas,
French,	Peake,	Warner,
Fullerton,	Prentiss,	Wheeler of Reading,
Goodsill,	Rice,	Whitcomb,
Graves,	Roscoe,	White,
Green,	Ross,	Whitelaw,
Guild,	Russ,	Whitney,
Harrington,	Russell,	Winslow.
Harwood,	Sanford of Castleton,	Woodbridge,
Hinds,	Sanford of Cornwall,	Wright,—79.
Howard of Benson,		

So it passed in the affirmative.

(S. 11.) The bill from the Senate entitled "an act in addition to Chapter 79 of the Revised Statutes" was read the first time, and referred to the Judiciary Committee.

The petition of Daniel Turner and others, praying for the division of the County of Windsor, was referred to the members from the County of Windsor.

The petition of Elijah R. Green was referred to the Judiciary Committee.

The memorial of Nathan Foster and others, upon the subject of the veto power of the President of the United States, was read, and referred to a select committee of three, on motion of Mr. Cushman.

(H. 1.) Mr. Cushman, from the Committee on Military Affairs, to which was referred the bill entitled "an act to repeal an act therein mentioned," reported the same with amendments, which were adopted, and said bill was read the second time.

Ordered, That it be engrossed and read the third time tomorrow morning.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—The Senate do not concur with the House of Representatives in passing the resolution in relation to a day of thanksgiving throughout the State.

(H. 75.) Mr. Cushman, from the Committee on Military Affairs, to which was referred the bill entitled "an act to repeal the second section of 'an act in addition to the several acts regulating and governing the militia of this State,' approved November 11, 1841," reported that the same ought not to pass.

On motion of Mr. Harrington,

Ordered, That said bill lie on the table.

(H. 79.) Mr. Clapp, from the select committee to which was referred the petition of Charles Miller, praying for the passage of a law enabling him to hold land, reported a bill entitled "an act to enable Charles Miller to hold certain land."

Which was read the first time.

And the question was stated, shall the bill be read the second time? and being put was decided in the negative.

And said bill was rejected.

A message from the Senate, by Mr. Stansbury, Assistant Secretary:

MR. SPEAKER:—The Senate have passed bills of the following titles, in which they request the concurrence of the House of Representatives, namely:

(S. 28.) "An act to pay Lebbeus Egerton the sum therein mentioned."

(S. 32.) "An act for the benefit of Laura E. Moore and others."

Mr. Rice moved to reconsider the vote passed yesterday, ordering the report of the committee appointed, at the last session, to investigate the concerns of the Bank of Essex County, to lie on the table, and that five hundred copies thereof be printed for the use of the House.

And the question being taken, it passed in the affirmative.

Mr. Pettibone introduced the following resolution:

Resolved, by the Senate and House of Representatives, That the report of the Committee, appointed by a joint resolution at the last session of the Legislature, to investigate the condition of the Essex Bank, and the conduct of its directors, be referred to a joint committee of three from each House.

Which was read and passed.

(H. 80.) Mr. Peck, on leave, introduced a bill entitled "an act in relation to the Bank of Montpelier."

Which was read the first time and referred to the Committee on Banks.

(H. 81.) Mr. Canfield, on leave, introduced a bill entitled "an act in addition to Chapter 21 of the Revised Statutes."

Which was read the first time and referred to the Committee on Roads.

(H. 82.) Mr. Russell, on leave, introduced a bill entitled "an act to pay William T. Gleason the sum therein mentioned."

Which was read the first time and referred to the Committee on Military Affairs.

Mr. Colton introduced the following resolution:

Resolved, That it is the sense of this House that imprisonment for debt, where there is not strong presumption of fraud, is wrong; and that a se-

lect committee of three be appointed, with instructions to report a bill, which, while it shall secure the right of the creditor, shall imprison the debtor for the least possible period necessary to effect that object.

Which was read.

And the question was stated, shall the resolution pass? and being taken was decided in the negative.

And the resolution was rejected.

Mr. Stark introduced the following resolution:

Resolved, That the Committee of Elections be instructed to inquire whether the town of Victory, in the County of Essex, is a legally organized town, so as to be entitled to be represented in this House.

Which was read.

And on the question, shall the resolution pass? it was decided in the negative.

So the House disagreed to said resolution.

(H. 83.) Mr. Colton, on leave, introduced a bill entitled "an act in relation to imprisonment for debt."

Which was read the first time and referred to the Judiciary Committee.

The petition of Winslow Reed and others, praying to be attached to the 24th Regiment of the Militia, was read.

Mr. Winslow moved to commit said petition to the Judiciary Committee, with instructions to inquire into the expediency of reporting a bill in conformity to the prayer thereof; and the question being taken, it was decided in the negative.

And said petition was referred to the Committee on Military Affairs, on motion of Mr. Shafter.

(S. 28.) The bill from the Senate entitled "an act to pay Lebbeus Egerton the sum therein mentioned" was read the first time, and referred to the Committee of Claims.

(S. 32.) The bill from the Senate entitled "an act for the benefit of Laura E. Moore and others" was read the first time, and referred to the Judiciary Committee.

(H. 30.) Mr. Davis of Norwich, from the Committee on Military Affairs, to which was referred the bill entitled "an act to pay William W. White and Horace Wardsworth the sum therein mentioned," reported the same with an amendment; and on motion of Mr. Shafter, it was

Ordered, That said bill and reported amendment lie on the table, and be made the order of the day for tomorrow morning.

(H. 84.) Mr. Billings, from the select committee, to which was referred the petition of Moses Warner, praying to be restored to his legal privileges, reported a bill entitled "an act to restore Moses Warner to his legal privileges."

Which was read the first and second time.

Ordered, That said bill be engrossed and read the third time.

Engrossed bills of the following titles were severally read the third time and passed, namely:

(H. 17.) "An act annexing Johnson's Island to the town of St. Albans."

(H. 66.) "An act constituting Samuel F. Smith an heir-at-law of Harry Holden."

(H. 67.) "An act to credit the town of Manchester the sum therein mentioned."

On motion of Mr. Ball, the resolution directing the Committee of Ways and Means to take into consideration the present listing law, was taken up, and amended by striking out the words "*Committee of Ways and Means*," and inserting the words "*Committee to make up the Grand List*."

And, as thus amended, the resolution passed.

Mr. Shafter introduced the following resolutions:

Resolved, That this Assembly, as the representatives of a free and independent State, cannot but feel a deep interest in the establishment and maintenance of free and liberal principles of Government throughout the world. And while a proper regard to the character of our own government and people, for the preservation of quiet, both among ourselves and in all regularly constituted governments, would induce us not to encourage forcible resistance and revolution, in any but extreme cases, we do consider that each case of that class must depend mainly upon its own peculiar circumstances.

We therefore have, and do esteem the case of Poland as one of that peculiar interest to all the friends of liberty, as to justify this declaration of our sentiments in regard to it. In addition to the fact, that this free republic is now enjoying the blessings of civil and religious freedom, as in some sense the price of the toil and sacrifice and blood of some of the noble and chivalrous sons of that ill-fated land, among whom we are proud to recollect Kosciusco and Pulaski; no one can trace the history of the wrongs, and sufferings, and oppressions, of that unhappy country, in her struggle for liberty, and not feel that it is one in which every free government has a deep interest. The relations, for a long time subsisting, between Poland and Russia, are, so to speak, but the personification of arbitrary power and heartless tyranny, on the one hand, and sober, determined, intelligent, chivalrous and agonizing struggles for liberty, on the other.

We therefore, on the behalf and in the name of the inhabitants of the State of Vermont, do say, to all the world, that we hope, and trust in Divine Providence, that Poland will continue her aspirations and her struggles for liberty, till the Autocrat of all the Russias shall know and feel, that it is the unalterable decree of the Ruler of the Universe, that the principle of freedom, once developed in the hearts of a people, can never be extinguished by any course of oppression, however severe or long continued.

Resolved, That Major Tochman, formerly a citizen and a soldier of Poland, be admitted upon the floor of this House, on Wednesday evening, at seven o'clock, to argue the foregoing resolution.

Which were read: and on motion of Mr. Shafter,

Ordered, That the *first* of said resolutions lie on the table, and be made the order of the day for Wednesday evening next, at seven o'clock.

The *second* resolution was passed.

The House adjourned.

WEDNESDAY, OCT. 26, 1842.

Prayer by Rev. Zebina Young.

The Speaker announced the appointment of Mr. Prentiss on the Judiciary Committee, in the place of Mr. Hebard, who had resigned his seat in the House.

Mr. Pettibone moved to reconsider the vote of yesterday, passing the resolution, introduced by him, referring to a joint committee the report of the committee, appointed at the last session of the General Assembly, to investigate the concerns of the Bank of Essex County.

And the question being taken, it passed in the affirmative; and said resolution was dismissed.

On motion of Mr. Vilas,

Ordered, That said report lie on the table, and that five hundred copies thereof be printed for the use of the House.

(H. 79.) Mr. Vilas moved to reconsider the vote, by which the House yesterday refused to order to the second reading the bill entitled "an act to enable Charles Miller to hold certain land;" and the question being taken, it passed in the affirmative.

Ordered, That said bill lie on the table.

Mr. Wardner, from the select committee to which was referred the resolution directing the appointment of a select committee, to inquire into the expediency of reducing the number of Commissioners of the Deaf and Dumb and the Blind to one, asked to be discharged from the further consideration thereof; and the question being taken, the House discharged said committee from the further consideration of the same.

And said resolution was dismissed, on motion of Mr. Pettibone.

The account of Jacob Kent jr. against the State, disallowed by the Auditor of Accounts, was referred to the Committee of Claims.

(H. 85.) Mr. Vilas, on leave, introduced a bill entitled "an act to annex the towns of Norwich, Sharon, Royalton, and Bethel, in the County of Windsor, to the County of Orange."

Which was read the first time.

Mr. Vilas moved a reference of said bill to the select committee raised on the bill (H. 15) to divide the State into Congressional Districts; and the question being taken, it was decided in the negative.

Mr. Vilas then moved to commit said bill to the members from the Counties of Windsor and Orange; and the question being taken, it passed in the affirmative.

(H. 86.) Mr. Prentiss, on leave, introduced a bill entitled "an act to amend section 11 of Chapter 16 of the Revised Statutes."

Which was read the first time and referred to the Judiciary Committee.

Mr. Wiggins introduced the following resolution:

Resolved, That the Committee appointed to make up the Grand List be instructed to inquire, whether the personal property has been appraised and set in the lists in the several towns in this State, as the law requires.

Which was read and passed.

(H. 87.) Mr. Ross, on leave, introduced a bill entitled "an act in addition to Chapter 18 of the Revised Statutes."

Which was read the first time and referred to the Committee on Education.

Mr. Shafter, from the Committee of Elections, to which was referred the remonstrance of Tappan Stevens against the election of William H. Carter, the returned member from the town of Newbury, submitted the following report:

To the House of Representatives now in session:

Your Committee of Elections, to whom was referred the remonstrance of Tappan Stevens against the election of William H. Carter, the returned member from the town of Newbury, present the following report:

That they have had the said remonstrance under consideration, and that at the hearing had upon said case of contested election, it did not appear that the said William H. Carter had ever had any "written notice" that his election would be contested. Wherefore your Committee recommend the passage of the accompanying resolution.

At the hearing had upon said case, it was offered to be shown, on the part of the remonstrant, by the oral testimony of the said remonstrant, that he had seen a paper, or written document, purporting to be a notice to said Carter that his election would be contested, with an endorsement upon the back of said paper or document, purporting to be a return, made by a proper officer, of having served the first mentioned notice upon said Carter.—All of which oral testimony was rejected, for each and all of the following reasons:

1. Because the offered testimony was not in writing, taken with the necessary notice, and within the requisite time.

2. Because no satisfactory reason was offered to account for the non-production of the aforesaid written notice and return as aforesaid.

3. For the vagueness and uncertainty of the matter thus offered in evidence.

All of which is submitted.

J. McM. SHAFTER, *for Committee.*

The accompanying resolution was read as follows:

Resolved, That William H. Carter, the returned member from Newbury, is entitled to a seat in this House.

Mr. Baker moved to recommit said remonstrance and report to the Committee of Elections.

And the question was stated, will the House order the proposed recommitment?

On which question the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,	Billings,	Colby,
Aiken,	Blake,	Colton,
Austin,	Boardman of Hydepark,	Davis of Norwich,
Bailey of Lemington,	Bradley,	Douglass of Waterbury,
Baker,	Briggs,	Dustin,
Barr,	Brigham,	Eaton,
Barber of Enosburgh,	Brown of Whitingham,	Ellsworth,
Barber of Townal,	Bump,	Field,
Barden,	Caldwell of Menden,	Flint of Braintree,
Barney,	Clapp,	Flint of Lowell,
Bennett,	Cobb of Strafford,	Folsom,

French,
Fuller,
Gay,
Glazier,
Gould,
Gove,
Griggs,
Grow,
Harrington,
Harris of Mansfield,
Hazen,
Henry,
Hill,
Hodgkins,
Holcomb,
Hollister of Marshfield,
Houghton,
Howard of Andover,
Ingalls,
Jewett,
Jones of Dover,
Judson,
Keith,
Kent,
Kibby,
Ladd of Wolcott,
Marshall,
Martindale,
May,
McFarland,
McLoud,
Moon,
Morrill of Canaan,
Morrill of Danville,
Needham,
Niles,
Norris,
Page of Corinth,
Page of Plainfield,
Parker,
Peck,
Perkins,
Pettibone,
Phelps,
Pope,
Powell,
Prentiss,
Rice,
Rowell,
Sanborn,
Sanford of Castleton,
Scott,
Shattuck,
Small,
Smith of Berkshire,
Soule,
Spalding,
Stanton,
Stilphen,
Taplin,
Taylor,
Tracy,
Tyler,
Vilas,
Walker,
Wardner,
Webster of Cabot,
Webster of Colchester,
Wells,
Wheelock,
Whitney,
Wiggins,
Willis,—106.

Those who voted in the negative are, Messrs.

Aldrich,
Atwood,
Bailey of Elmore,
Ball,
Barber of Mount Holly,
Barton,
Bliss,
Boardman of Milton,
Bogue,
Bottum,
Bowe,
Brooks,
Brown of Whiting,
Canfield,
Carpenter,
Chamberlin,
Charlton,
Clark,
Cobb of Tinmouth,
Cooper,
Cummings,
Cushman,
Davis of Baltimore,
Denison of Hartland,
Douglass of Richmond,
Eager,
Eames,
Ellis,
Emery,
Esty,
Fish,
Flagg,
Foster of Berlin,
Foster of Tunbridge,
Fox,
Fullerton,
Goodsill,
Graves,
Green,
Guild,
Harris of Windham,
Hartshorn,
Harwood,
Hinds,
Holden,
Hollister of Pawlet,
Howard of Benson,
Howe of Vernon,
Howe of Williamstown,
Hyde,
Janes,
Johnson,
Jones of Waitsfield,
Kellogg,
Kidder,
Kinsley,
Lackie,
Ladd of Grand Isle,
Lamb,
Leavenworth,
Lockwood,
Lyon,
Moore,
Morse,
Mott,
Newell,
Noyes,
Paddock,
Page of Westminster,
Park,
Peake,
Perry,
Richardson,
Robbins,
Roscoe,
Ross,
Russ,
Russell,
Sanford of Cornwall,
Shafter,
Sheldon,

Simonds,	Stark,	Wheeler of Winhall,
Skiff,	Stoddard,	Whipple,
Slack,	Towle,	Whitcomb,
Smeed,	Turner,	White,
Smith of Addison,	Tuttle of Sandgate,	Whitelaw,
Smith of Barton,	Tuttle of Weathersfield,	Wiley,
Smith of Hinesburgh,	Van Sicklen,	Winslow.
Smith of Monkton,	Warner,	Woodbridge,
Sprague,	Wheeler of Reading,	Wright,—108.

So it was decided in the negative.

On motion of Mr. Harrington,

Ordered, That said remonstrance and report lie on the table.

A message, in writing, was received from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs, which was read, and is as follows:

EXECUTIVE CHAMBER,
October 26, 1842.

It becomes my duty to inform the House of Representatives, that Julius Converse Esq., who was recently elected to the office of State's Attorney of Windsor County, declines to accept that appointment.

CHARLES PAINE.

To the HON. ANDREW TRACY,
Speaker of the House of Representatives.

In pursuance of the concurrent resolution of the two Houses, the House proceeded to elect, on their part, a Senator to represent this State in the Congress of the United States, to fill the vacancy caused by the resignation of the Hon. Samuel Prentiss.

Ordered, That the Senate be informed, by message, that the House are now ready to proceed to the election, on their part, of a Senator as aforesaid.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—I am directed to inform the House of Representatives that the Senate are now ready to proceed, in conformity with the resolution of the two Houses, to elect, on their part, a Senator, to represent this State in the Congress of the United States, to supply the vacancy caused by the resignation of the Hon. Samuel Prentiss.

Whereupon,

After an examination of the ballots by the tellers, it appeared that the

HON SAMUEL C. CRAFTS

was duly elected, on the part of the House, a Senator to represent this State in the Congress of the United States, in the place of the Hon. Samuel Prentiss, who has resigned his office as Senator.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—I am directed to inform the House of Representatives that the Senate, having elected, on their part, a Senator in Congress, to fill the vacancy caused by the resignation of Hon. Samuel Prentiss, are now ready to meet the House of Representatives in joint assembly, to compare the proceedings of the two Houses, and to complete the election.

Ordered, That the Senate be informed, by message, that the House, having elected a Senator as aforesaid on their part, are ready to meet them in joint assembly, to compare the proceedings of the two Houses, and to complete the election.

The petition of Morrill J. Walker and others, and the petition of Ira

Coolidge and others, each praying for a division of Windsor County, and the remonstrance of Titus Hutchinson and others against said division, were severally referred to the members from the County of Windsor.

The Judiciary Committee, upon its request, was excused from the further consideration of the memorial of Thomas R. Robinson and others, and the memorial of Jonathan Warner jr. and others, upon the subject of slavery.

And said memorials were referred to a select committee of five, on motion of Mr. Sprague.

(H. 39.) Mr. Vilas, from the Judiciary Committee, to which was referred the bill entitled "an act to prevent illegal voting at freemen's meetings," reported that said bill ought not to pass.

Which report was concurred in, and said bill was dismissed, on motion of Mr. Cobb of Strafford.

A message from the Senate, by Mr Clarke, their Secretary:

Mr. Speaker:—The Senate have passed a bill (S. 6) entitled "an act to pay the town of Alburgh the sum therein mentioned," and also a resolution relative to the appointment of joint committees in certain cases, in which they request the concurrence of this House.

(H. 45.) On motion of Mr. Wardner, the Report of the Auditor of Accounts upon the Public Accounts, and the bill accompanying said Report, entitled "an act relating to Public Accounts," were referred to the Committee of Ways and Means.

(H 52.) Mr. Vilas, from the Judiciary Committee, to which was referred the bill entitled "an act in addition to Chapter 18 of the Revised Statutes," reported the same without amendment, and said bill was read the second time.

Ordered, That it be engrossed and read the third time tomorrow morning.

(H. 20.) Mr. Vilas, from the same Committee, to which was referred the bill entitled "an act regulating assignments," reported that the said bill ought not to pass; which report was concurred in.

And said bill was dismissed, on motion of Mr. Cobb of Strafford.

Mr. Vilas, from the same Committee, to which was referred the resolution, instructing said Committee to inquire into the expediency of making any alteration in the law relative to the foreclosure of mortgages, reported that no further legislation on the subject is necessary.

(H. 49.) Mr. Vilas, from the same Committee, to which was referred the bill entitled "an act relating to town clerks," reported that said bill ought not to pass; which report was concurred in.

And said bill was dismissed, on motion of Mr. Graves.

(H. 41.) Mr. Colby, from the same Committee, to which was referred the bill entitled "an act relating to bills of divorce," reported that said bill ought not to pass.

Which report was concurred in, and said bill was dismissed, on motion of Mr. Baker.

Mr. Colby, from the same Committee, to which was referred the petition of Elijah R. Green, praying for a divorce, reported that the prayer thereof ought not to be granted.

On motion of Mr. Small,

Ordered, That said petition and report lie on the table.

(H. 50.) Mr. Vilas, from the same Committee, to which was referred the bill entitled "an act in addition to 'an act to repeal part of Chapter 90 of the Revised Statutes,' approved November 3, 1841," reported the same without amendment: said bill was amended, on motion of Mr. Barber of Mount Holly, and read the second time.

Ordered, That said bill be engrossed and read the third time tomorrow morning.

Leave of absence for the remainder of the session, from and after tomorrow, was granted to Mr. Smith, the representative from the town of Berkshire.

The House adjourned.

AFTERNOON.

(H. 32.) Mr. Canfield, from the Judiciary Committee, to which was referred the bill entitled "an act in addition to section 14 of Chapter 1 of the Revised Statutes," reported the same with an amendment, which was adopted.

Said bill was further amended, and read the second time.

Ordered, That it be engrossed and read the third time tomorrow morning.

(H. 2.) Mr. Canfield, from the same Committee, to which was referred the bill entitled "an act in amendment of section 63 of Chapter 28 of the Revised Statutes," reported that said bill ought not to pass.

On motion of Mr. Vilas, said bill was recommitted to the Judiciary Committee.

(H. 4.) Mr. Canfield, from the same Committee, to which was referred the bill entitled "an act regulating imprisonment for debt," reported that said bill ought not to pass.

Said bill was recommitted to the Judiciary Committee, on motion of Mr. Canfield.

(H. 5.) Mr. Canfield, from the same Committee, to which was referred the bill entitled "an act to repeal 'an act in amendment of section 63 of Chapter 28 of the Revised Statutes,'" reported that said bill ought not to pass.

And said bill was recommitted to the Judiciary Committee, on motion of Mr. Rice.

(H. 6.) Mr. Vilas, from the same Committee, to which was referred the bill entitled "an act in addition to Chapter 29 of the Revised Statutes," reported the same without amendment, and said bill was read the second time.

Ordered, That it be engrossed and read the third time tomorrow afternoon.

(S. 28.) Mr. Van Sicklen, from the Committee of Claims, to which was referred the bill from the Senate entitled "an act to pay Lebbeus Egerton the sum therein mentioned," reported the same without amendment.

And said bill was read the second and third time, and passed.

(H. 40.) Mr. Sprague, from the Committee on Roads, to which was referred the bill entitled "an act in addition to Chapter 20 of the Revised Statutes," reported that said bill ought not to pass.

Which report was concurred in, and said bill was dismissed.

(H. 61.) Mr. Bailey of Elmore, from the General Committee, to which was referred the bill entitled "an act in alteration of 'an act altering the boundary line between Salisbury and Leicester,'" reported the same without amendment, and said bill was read the second time.

Ordered, That it be engrossed and read the third time tomorrow afternoon.

(H 24.) Mr. Jones of Waitsfield, from the Committee on Agriculture, to which was referred the bill entitled "an act in relation to the construction of sections 3, 4, and 5, of Chapter 91 of the Revised Statutes," reported that said bill ought not to pass.

Mr. Taylor moved to dismiss said bill; and the question being taken, it passed in the affirmative.

(H. 82.) Mr. Cushman, from the Committee on Military Affairs, to which was referred the bill entitled "an act to pay William T. Gleason the sum therein mentioned," reported the same without amendment, and said bill was read the second time.

And the question was stated, shall the bill be engrossed and read the third time? and being taken, was decided in the negative.

And said bill was rejected.

Engrossed bills of the following titles were severally read the third time and passed, namely:

(H. 1.) "An act to repeal an act therein mentioned."

(H. 84.) "An act to restore Moses Warner to his legal privileges."

A resolution from the Senate:

Resolved, by the Senate and House of Representatives, That all documents, reports, and other papers, transmitted to either House, "for the use of the General Assembly," may be, by the two Houses respectively, referred to a joint committee of three Senators and three Representatives, to be appointed by the presiding officers of the two Houses respectively, who shall make their reports to that House from which the subject matter thereof was first ordered. Whenever any such document, report, or other paper, shall be, by either House, referred as aforesaid, the same, together with notice of such order, shall be communicated by message to the other.

Which was read and concurred in.

(S. 6.) The bill from the Senate entitled "an act to pay the town of Alburgh the sum therein mentioned" was read the first time, and referred to the Committee of Claims.

Mr. Vilas, from the Judiciary Committee, to which was referred the resolution, directing said Committee to inquire into the expediency of extending the jurisdiction of justices of the peace, so that they shall be com-

petent to try actions in debt, where the balance claimed as due shall not exceed the sum of one hundred dollars, reported that it is inexpedient to legislate upon the subject.

(H. 88.) Mr. Cobb of Strafford, on leave, introduced a bill entitled "an act to repeal the providing clause of 'an act relating to Banks,' approved October 28, 1840."

Which was read the first time and referred to the Committee on Banks.

(H. 30.) On motion of Mr. Baker, the House proceeded to consider the bill entitled "an act to pay William W. White and Horace Wardsworth the sum therein mentioned," which was yesterday reported by the Committee on Military Affairs with an amendment, and was made the order of the day for this morning.

The amendment reported was adopted, and the bill read the second time; and, on motion of Mr. Rice, ordered to lie on the table.

On motion of Mr. Rice,

Resolved, That when the House adjourns, it will adjourn to meet at half past six o'clock this evening.

On motion of Mr. Harrington, the House proceeded to the consideration of the remonstrance of Tappan Stevens against the right of William H. Carter, the returned member from the town of Newbury, to a seat in this House, and the report of the Committee of Elections thereon, as stated on the journal of yesterday.

Mr. Noyes moved to reconsider the vote, taken this forenoon, by which the House refused to recommit said remonstrance and report to the Committee of Elections.

And on the question, will the House reconsider their said vote? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,	Douglass of Richmond,	Keith,
Aiken,	Douglass of Waterbury,	Kibby,
Austin,	Eaton,	Kidder,
Bailey of Lemington,	Ellsworth,	Kinsley,
Baker,	Flint of Braintree,	Ladd of Grand Isle,
Barr,	Flint of Lowell,	Ladd of Wolcott,
Barber of Enosburgh,	Folsom,	Lockwood,
Barber of Mount Holly,	Gay,	Marshall,
Barber of Pownal,	Glazier,	May,
Barden,	Gould,	McFarland,
Bennett,	Griggs,	Moore,
Blake,	Grow,	Morrill of Canaan,
Boardman of Hydepark,	Harrington,	Morrill of Danville,
Bowman,	Harris of Mansfield,	Naramore,
Brown of Whitingham,	Hazen,	Needham,
Bump,	Henry,	Niles,
Caldwell of Mendon,	Hill,	Norris,
Charlton,	Hodgkins,	Page of Corinth,
Clapp,	Holcomb,	Page of Plainfield,
Cobb of Strafford,	Hollister of Marshfield,	Parker,
Colby,	Houghton,	Peck,
Colton,	Jones of Dover,	Perkins,
Davis of Norwich,	Judson,	Pettibone,

Powell,
Prentiss,
Rice,
Robbins,
Rowell,
Sanborn,
Sanford of Castleton,
Scott,
Small,
Smith of Monkton,
Soule,
Stilphen,
Taplin,
Taylor,
Tracy,
Turner,
Tyler,
Vilas,
Walker,
Wardner,
Webster of Cabot,
Wells,
Wheelock,
Wiggins,
Willis,—94.

Those who voted in the negative are, Messrs.

Aldrich,
Ambler,
Atwood,
Bailey of Elmore,
Barton,
Billings,
Bliss,
Boardman of Milton,
Bogue,
Bowe,
Brooks,
Brown of Whiting,
Caldwell of Lincoln,
Canfield,
Carpenter,
Chamberlin,
Clark,
Cooper,
Cummings,
Cushman,
Daniels,
Davis of Baltimore,
Denison of Hartland,
Eames,
Edmonds,
Ellis,
Emery,
Esty,
Field,
Fish,
Flagg,
Foster of Tunbridge,
Fox,
Fullerton,
Graves,
Green,
Guild,
Harris of Windham,
Hartshorn,
Harwood,
Hinds,
Holden,
Hollister of Pawlet,
Howard of Andover,
Howard of Benson,
Howe of Vernon,
Howe of Williamstown,
Hyde,
Jackson,
Jewett,
Johnson,
Keese,
Kellogg,
Lamb,
Lyon,
Martindale,
Mott,
Newell,
Noyes,
Paddock,
Page of Westminster,
Peake,
Perry,
Richardson,
Roscoe,
Ross,
Russell,
Shafter,
Sheldon,
Simonds,
Skiff,
Slack,
Smeed,
Smith of Addison,
Smith of Barton,
Sprague,
Stark,
Stoddard,
Towle,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Van Sicklen,
Warner,
Wheeler of Reading,
Whipple,
Whitcomb,
White,
Whitelaw,
Wiley,
Winslow,
Woodbridge,
Wright,—92.

So it passed in the affirmative.

When
The House adjourned.

EVENING.

Pursuant to their order, the House took into consideration the resolution, introduced yesterday by Mr. Shafter, relative to Poland, as stated on the journal of yesterday.

Agreeably to the request of the House, Major Tochman, formerly a citizen and soldier of Poland, addressed the House in support of said resolution.

Said resolution was then, after debate, read, as follows:

Resolved, That this Assembly, as the representatives of a free and independent State, cannot but feel a deep interest in the establishment and maintenance of free and liberal principles of Government throughout the world. And while a proper regard to the character of our own government and people, for the preservation of quiet, both among ourselves and in all regularly constituted governments, would induce us not to encourage forcible resistance and revolution, in any but extreme cases, we do consider that each case of that class must depend mainly upon its own peculiar circumstances.

We therefore have, and do esteem the case of Poland as one of that peculiar interest to all the friends of liberty, as to justify this declaration of our sentiments in regard to it. In addition to the fact, that this free republic is now enjoying the blessings of civil and religious freedom, as in some sense the price of the toil and sacrifice and blood of some of the noble and chivalrous sons of that ill-fated land, among whom we are proud to recollect Kosciusco and Pulaski; no one can trace the history of the wrongs, and sufferings, and oppressions, of that unhappy country, in her struggle for liberty, and not feel that it is one in which every free government has a deep interest. The relations, for a long time subsisting, between Poland and Russia, are, so to speak, but the personification of arbitrary power and heartless tyranny, on the one hand, and sober, determined, intelligent, chivalrous and agonizing struggles for liberty, on the other.

We therefore, on the behalf and in the name of the inhabitants of the State of Vermont, do say, to all the world, that we hope, and trust in Divine Providence, that Poland will continue her aspirations and her struggles for liberty, till the Autocrat of all the Russias shall know and feel, that it is the unalterable decree of the Ruler of the Universe, that the principle of freedom, once developed in the hearts of a people, can never be extinguished by any course of oppression, however severe or long continued.

And the question was stated from the chair, shall the resolution pass? and being taken, was determined in the affirmative.

Mr. Harrington introduced the following resolution:

Resolved, That this House express their sincere thanks to Major Tochman, for his able, philosophic and eloquent address in behalf of the oppressed Poles, and against the wicked, heartless Autocrat of the Russias.

Which was read and passed.

The House adjourned.

THURSDAY, OCT. 27, 1842.

Prayer by Rev. John Gridley.

(H 89.) Mr. Denison of Hartland, on leave, introduced a bill entitled "an act in addition to 'an act to incorporate the Windsor County Mutual Fire Insurance Company.'"

Which was read the first time and referred to the Judiciary Committee.

(H. 90.) Mr. Dustin, on leave, introduced a bill entitled "an act to alter the name of Elvira Patterson and make her heir-at-law of Osee F. and Huldah Aller."

Which was read the first time and referred to the Judiciary Committee.

The Speaker announced the appointment of the following gentlemen as the committee on the resolution, referring to a select committee so much of the Governor's message as relates to reform in our pecuniary affairs, namely:

Messrs. Wardner, Fox, Henry, Wright, Wheelock.

(H. 91.) Mr. Harris of Windham, on leave, introduced a bill entitled "an act to pay Emery Melendy the sum therein mentioned."

Which was read the first time and referred to the Committee on Military Affairs.

On motion of Mr. Wardner, the petition of Edward G. Babcock was taken up, and recommitted to the Committee of Claims.

(H. 92.) Mr. Flint of Lowell, on leave, introduced a bill entitled "an act to pay Mark M. Page the sum therein mentioned."

Which was read the first time and referred to the Committee on Military Affairs.

(H. 93.) Mr. Winslow, on leave, introduced a bill entitled "an act for the relief of the militia in the town of Pomfret."

Which was read the first time and referred to the Committee on Military Affairs.

(H. 94.) Mr. Bump, on leave, introduced a bill entitled "an act relating to the United States deposit money"

Which was read the first time and referred to the Judiciary Committee.

(H. 54) Mr. Van Sicklen, from the Committee of Claims, to which was referred the bill entitled "an act to pay Hyman Lane the sum therein mentioned," reported the same with an amendment.

Mr. Skiff moved to dismiss said bill; and the question being taken, it passed in the affirmative.

The petition of the town of Burlington was read, and referred to the Committee on the State Prison.

Engrossed bills of the following titles were severally read the third time and passed, namely:

(H. 50) "An act in addition to 'an act to repeal part of Chapter 90 of the Revised Statutes,' approved November 3, 1841."

(H. 52.) "An act in addition to Chapter 18 of the Revised Statutes."

The following petitions, each praying for the division of the County of Windsor, were severally referred to the members from the County of Windsor, namely:

Of Joseph A. Denison jr. and others.
Of Sewall Fullam and others.
Of William Skinner and others.
Of Alfred Page and others.

(H. 30.) The bill entitled "an act to pay William W. White and Horace Wardsworth the sum therein mentioned" was taken up, on motion of Mr. Baker.

Ordered, That said bill be engrossed and read the third time.

The House resumed the consideration of the remonstrance of Tappan Stevens against the right of William H. Carter, the returned member from the town of Newbury, to a seat in the House, and the report of the Committee of Elections thereon, which were pending at the adjournment yesterday afternoon.

And the question recurred on the motion, made yesterday forenoon by Mr. Baker, to recommit said remonstrance and report to the Committee of Elections.

And the question was stated, will the House order the proposed recommitment? and being taken, it passed in the affirmative.

The House adjourned.

AFTERNOON.

The Speaker announced the appointment of the following select committees:

On the memorial of Nathan Foster and others, upon the subject of the veto power of the President of the United States, Messrs. Shafter, Harrington, Cushman.

On the memorial of Jonathan Warner jr. and others, and the memorial of Thomas R. Robinson and others, upon the subject of slavery, Messrs. Sprague, Cobb of Strafford, Russ, Keese, Whitcomb.

Engrossed bills of the following titles were severally read the third time and passed, namely:

(H. 6.) "An act in addition to Chapter 29 of the Revised Statutes."

(H. 61) "An act in alteration of 'an act altering the boundary line between Salisbury and Leicester.'"

(H. 32.) The engrossed bill entitled "an act in addition to section 14 of Chapter 1 of the Revised Statutes" was read the third time.

Mr. Noyes moved to dismiss said bill.

And the question being taken, it passed in the affirmative.

(H. 30) The engrossed bill entitled "an act to pay William W. White and Horace Wardsworth the sum therein mentioned" was read the third time.

And on the question, shall the bill pass? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,
Atwood,
Bailey of Elmore,
Ball,
Barber of Mount Holly,
Barney,
Barton,
Bliss,
Boardman of Milton,
Bogue,
Bowe,
Bowman,
Brackett,
Caldwell of Lincoln,
Charlton,
Clapp,
Colton,
Cooper,
Cushman,
Daniels,
Davis of Baltimore,
Davis of Norwich,
Dewing,
Douglass of Richmond,
Ellis,
Emery,
Folsom,
Fox,
Fullerton,
Gay,
Goodsill,
Gove,
Green,
Griggs,
Harris of Windham,
Hazen,
Henry,
Hill,
Holcomb,
Holden,
Howard of Andover,
Hyde,
Jackson,
Janes,
Jewett,
Johnson,
Jones of Dover,
Jones of Waitsfield,
Keith,
Kinsley,
Ladd of Grand Isle,
Lamb,
Lockwood,
McLoud,
Moon,
Morrill of Canaan,
Naramore,
Needham,
Noyes,
Paddock,
Page of Corinth,
Page of Westminster,
Park,
Parker,
Peake,
Peck,
Rice,
Richardson,
Robbins,
Roscoe,
Rowell,
Sanford of Cornwall,
Scott,
Slack,
Smith of Hinesburgh,
Smith of Monkton,
Soule,
Spalding,
Towle,
Tracy,
Turner,
Tuttle of Weathersfield,
Tyler,
Vilas,
Wardner,
Webster of Cabot,
Webster of Colchester,
Wheeler of Reading,
Whipple,
Whitcomb,
Whitney,
Winslow,
Woodbridge,—93.

Those who voted in the negative are, Messrs.

Aldrich,
Austin,
Barber of Enosburgh,
Barber of Pownal,
Barden,
Bennett,
Blake,
Boardman of Hydepark,
Bottum,
Bradley,
Brigham,
Brown of Whiting,
Brown of Whitingham,
Bump,
Caldwell of Mendon,
Chamberlin,
Clark,
Cobb of Strafford,
Cobb of Tinmouth,
Colby,
Cummings,
Denison of Hartland,
Douglass of Waterbury,
Dustin,
Eaton,
Edmonds,
Ellsworth,
Esty,
Fish,
Flagg,
Flint of Braintree,
Flint of Lowell,
French,
Fuller,
Glazier,
Gould,
Graves,
Grow,
Guild,
Harris of Mansfield,
Hartshorn,
Hinds,
Hodgkins,
Hollister of Pawlet,
Houghton,
Howard of Benson,
Howe of Vernon,
Howe of Williamstown,
Ingalls,
Judson,
Keese,
Kent,
Kidder,
Lackie,
Ladd of Wolcott,
Leavenworth,
Lyon,
Marshall,
Martindale,
May,

McFarland,	Prentiss,	Stilphen,
Moore,	Ross,	Stoddard,
Morrill of Danville,	Russ,	Taplin,
Morse,	Sanford of Castleton,	Taylor,
Mott,	Shafter,	Tuttle of Sandgate,
Niles,	Sheldon,	Van Sicklen,
Norris,	Simonds,	Walker,
Page of Plainfield,	Skiff,	Wells,
Perkins,	Small,	Wheeler of Winhall,
Perry,	Smith of Addison,	Wheelock,
Pettibone,	Smith of Barton,	White,
Phelps,	Sprague,	Wiley,
Pope,	Stanton,	Willis,
Powell,	Stark,	Wright,—102.

So it was decided in the negative, and said bill was rejected.

Mr. Woodbridge, from the select committee to which was referred the petition of Wyman S. Walker, praying to be restored to his legal privileges, reported that the Governor has, in their opinion, full power to act on the subject; and asked that said committee might be discharged from the further consideration thereof; which report was concurred in, and the committee was discharged from the further consideration of said petition.

Ordered, That the petitioner have leave to withdraw his petition.

(H. 92.) Mr. Cushman, from the Committee on Military Affairs, to which was referred the bill entitled "an act to pay Mark M. Page the sum therein mentioned," reported that said bill ought not to pass.

Mr. Wiggins moved to dismiss said bill; and the question being taken, it passed in the affirmative.

A message from the Senate, by Mr Clarke, their Secretary:

Mr. Speaker:—The Senate have passed a bill (S. 42) entitled "an act relating to the taking of testimony," in which they request the concurrence of the House of Representatives.

The Senate concur with this House in passing bills of the following titles:

(H. 17.) "An act annexing Johnson's Island to the town of St. Albans."

(H. 66.) "An act constituting Samuel F. Smith an heir-at-law of Harry Holden."

(H. 64.) The Senate do not concur in passing the bill entitled "an act to pay William Cutts the sum therein mentioned."

(H. 93.) Mr. Cushman, from the Committee on Military Affairs, to which was referred the bill entitled "an act for the relief of the militia in the town of Pomfret," reported that said bill ought not to pass.

Mr. Cobb of Strafford moved to dismiss said bill.

And on the question, shall the bill be dismissed? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,	Ball,	Barton,
Ambler,	Barber of Enosburgh,	Bennett,
Atwood,	Barber of Mount Holly,	Blake,
Austin,	Barber of Pownal,	Bliss,
Bailey of Elmore,	Barden,	Boardman of Hydepark,
Baker,	Barney,	Bogue,

Bottum,
Bowe,
Bowman,
Brackett,
Brooks,
Brown of Whiting,
Brown of Whitingham,
Bump,
Caldwell of Lincoln,
Caldwell of Mendon,
Carter,
Chamberlin,
Charlton,
Clapp,
Clark,
Cobb of Strafford,
Cobb of Tinmouth,
Colby,
Colton,
Cooper,
Cummings,
Cushman,
Daniels,
Davis of Baltimore,
Davis of Norwich,
Dewing,
Denison of Hartland,
Douglass of Richmond,
Douglass of Waterbury,
Dustin,
Ellis,
Emery,
Esty,
Field,
Fish,
Flagg,
Flint of Braintree,
Folsom,
Foster of Tunbridge,
Fox,
French,
Fuller,
Gay,
Glazier,
Goodsill,
Gove,
Graves,
Green,
Griggs,
Grow,
Guild,
Hartshorn,
Henry,
Hinds,
Holden,
Hollister of Pawlet,
Houghton,
Howard of Andover,
Howard of Benson,
Howe of Vernon,
Howe of Williamstown,
Hyde,
Jackson,
Janes,
Jewett,
Johnson,
Jones of Dover,
Jones of Waitsfield,
Judson,
Keese,
Keith,
Kellogg,
Kidder,
Lackie,
Ladd of Wolcott,
Lamb,
Leavenworth,
Lyon,
Marshall,
Martindale,
May,
McFarland,
McLoud,
Moon,
Moore,
Morrill of Canaan,
Mott,
Naramore,
Needham,
Niles,
Noyes,
Paddock,
Page of Corinth,
Page of Plainfield,
Page of Westminster,
Park,
Parker,
Peake,
Peck,
Perkins,
Perry,
Phelps,
Pope,
Powell,
Prentiss,
Rice,
Richardson,
Robbins,
Roscoe,
Ross,
Rowell,
Sanford of Castleton,
Sanford of Cornwall,
Scott,
Shattuck,
Sheldon,
Simonds,
Skiff,
Small,
Smeed,
Smith of Addison,
Smith of Barton,
Smith of Hinesburgh,
Spalding,
Sprague,
Stanton,
Stoddard,
Taylor,
Towle,
Turner,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Tyler,
Van Sicklen,
Vilas,
Walker,
Wardner,
Warner,
Webster of Cabot,
Webster of Colchester,
Wells,
Wheeler of Reading,
Wheeler of Winhall,
Wheelock,
Whitcomb,
White,
Whitelaw,
Whitney,
Wiggins,
Wiley,
Willis,
Wright,—170.

Those who voted in the negative are, Messrs.

Aldrich,
Boardman of Milton,
Bradley,

Brigham,	Harris of Mansfield,	Norris,
Carpenter,	Harris of Windham,	Russell,
Eager,	Hazen,	Slack,
Eames,	Hill,	Soule,
Eaton,	Hodgkins,	Stark,
Edmonds,	Holcomb,	Stilphen,
Ellsworth,	Ingalls,	Taplin,
Flint of Lowell,	Ladd of Grand Isle,	Tracy,
Foster of Berlin,	Lockwood,	Whipple,
Fullerton,	Morrill of Danville,	Winslow,
Harrington,	Morse,	Woodbridge,—36.

So it passed in the affirmative.

The petition of the Trustees of the Caledonia County Grammar School was referred to the Committee on Education.

(H. 95.) Mr. Chamberlin, on leave, introduced a bill entitled "an act in addition to an act entitled 'an act establishing the County Grammar School of the County of Caledonia, in the town of Peacham,' passed October 27, 1795."

Which was read the first time and referred to the Committee on Education.

(H. 96.) Mr. Wright, on leave, introduced a bill entitled "an act for ascertaining the opinion of the people of this State in relation to an amendment of the Constitution."

Which was read the first time and laid on the table.

Mr. Smith of Addison introduced the following resolution:

Whereas, the business of agriculture is the first and most important branch of domestic industry in this State; and while appropriations have been made from the public treasury, from time to time, for the advancement of education, arts and science, the promotion of the agricultural interest has not received that attention from the legislative wisdom of this State, and those appropriations from the public treasury, which its merits absolutely demand:—

Resolved, therefore, That the Committee on Agriculture be instructed to inquire into, and report by bill or otherwise, the best method to be adopted for the advancement of the agricultural interest of this State.

Which was read and passed.

(H. 97.) Mr. Davis of Norwich, on leave, introduced a bill entitled "an act to alter the name of William F. Blood."

Which was read the first time and referred to the General Committee.

(S. 42.) The bill from the Senate entitled "an act relating to the taking of testimony" was read the first and second time.

Ordered, That said bill be read the third time tomorrow afternoon.

Mr. Cushman, from the Committee on Military Affairs, to which was referred the petition of Winslow Reed and others, praying to be attached to the 24th Regiment of the Militia, reported that the prayer thereof ought not to be granted; which report was concurred in.

Ordered, That the petitioners have leave to withdraw their petition.

Mr. Shafter, from the Committee of Elections, to which were recommitted the remonstrance of Tappan Stevens against the election of William H. Carter, the returned member from the town of Newbury, and the re-

port of said Committee thereon, submitted the following additional report:

To the House of Representatives now in session:

Your Committee of Elections, to whom was recommitted the remonstrance of Tappan Stevens against the election of William H. Carter, the returned member from the town of Newbury, present the following additional report:

That it was offered to be shown, by the oral testimony, or by the open affidavit of the remonstrant, that he signed a written notice, directed to William H. Carter, that in case he claimed a seat as a representative of the town of Newbury, by virtue of an election, held on the first Tuesday of September, 1842, the remonstrant should contest his seat; said notice was dated 10th of September, as he verily believes;—on said 10th day of September, 1842, he gave said notice to John E. Chamberlin, constable of Newbury, and directed him to copy the same, and leave the original with said Carter; said Chamberlin afterwards returned to the remonstrant a copy of said notice, with a return on said copy, as near as the remonstrant can recollect, as follows, to wit:

ORANGE, ss. NEWBURY, Sept 10, 1842.

I then left the original, of which this is a copy, with William H. Carter. Attest, JOHN E. CHAMBERLIN, *Constable.*

Which copy the remonstrant feels confident he put into his trunk that he brought with him, with the depositions taken to be used in said contested election, together with the grand list of Newbury, all covered with a newspaper; Carter called for said list, and the remonstrant then supposed he took out all the papers, except what belonged with the grand list, and gave said list to Carter; that he has made the most thorough search for said notice, but cannot find it, and believes it is lost; that he has no recollection of seeing it since he left Newbury.

The foregoing testimony was *unanimously* rejected by your Committee, who recommend the passage of the accompanying resolution.

J. McM. SHAFTER, *for Committee.*

The accompanying resolution is as follows:

Resolved, That William H. Carter, the returned member from the town of Newbury, is entitled to a seat in this House.

Which was read and passed.

(H. 30.) Mr. Douglass of Waterbury moved to reconsider the vote by which the House this afternoon refused to pass the bill entitled "an act to pay William W. White and Horace Wardsworth the sum therein mentioned."

Mr. Cushman moved to lay said motion on the table; and the question being taken, it was decided in the negative.

And the question was stated, will the House reconsider their said vote?

On which question the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Bailey of Elmore,	Bogue,	Colton,
Bailey of Lemington,	Bowe,	Cooper,
Baker,	Bowman,	Cushman,
Barber of Mount Holly,	Brackett,	Davis of Baltimore,
Barney,	Carpenter,	Davis of Norwich,
Barton,	Charlton,	Douglass of Richmond,
Bennett,	Clapp,	Douglass of Waterbury,
Boardman of Hydepark,	Cobb of Tinmouth,	Emery,

Folsom,
Foster of Berlin,
Foster of Tunbridge,
Fuller,
Fullerton,
Gove,
Griggs,
Grow,
Hazen,
Hill,
Holcomb,
Holden,
Howard of Andover,
Jackson,
Janes,
Jewett,
Johnson,
Jones of Dover,
Jones of Waitsfield,
Kinsley,
Lackie,
Ladd of Grand Isle,
Lockwood,
Marshall,
McLoud,
Moon,
Moore,
Naramore,
Needham,
Niles,
Paddock,
Page of Corinth,
Page of Plainfield,
Page of Westminster,
Park,
Parker,
Peck,
Rice,
Richardson,
Robbins,
Roscoe,
Rowell,
Russell,
Sanford of Cornwall,
Scott,
Shattuck,
Small,
Smeed,
Smith of Hinesburgh,
Smith of Monkton,
Soule,
Spalding,
Stanton,
Towle,
Turner,
Tyler,
Vilas,
Walker,
Warner,
Wardner,
Webster of Cabot,
Wheeler of Reading,
Whipple,
Whitney,
Winslow.
Woodbridge,—90.

Those who voted in the negative are, Messrs.

Aldrich,
Ambler,
Atwood,
Austin,
Barr,
Barber of Enosburgh,
Barber of Pownal,
Barden,
Blake,
Bliss,
Bradley,
Brigham,
Brooks,
Brown of Whiting,
Brown of Whitingham,
Caldwell of Lincoln,
Chamberlin,
Clark,
Cobb of Strafford,
Colby,
Cummings,
Denison of Hartland,
Dustin,
Eames,
Edmonds,
Ellis,
Ellsworth,
Esty,
Field,
Flagg,
Flint of Braintree,
Flint of Lowell,
French,
Gay,
Glazier,
Goodsill,
Graves,
Guild,
Harris of Mansfield,
Harris of Windham,
Hartshorn,
Henry,
Hinds,
Hodgkins,
Hollister of Pawlet,
Howard of Benson,
Howe of Vernon,
Howe of Williamstown,
Hyde,
Ingalls,
Judson,
Keese,
Keith,
Kidder,
Ladd of Wolcott,
Lamb,
Leavenworth,
Lyon,
Martindale,
May,
Morrill of Danville,
Morse,
Norris,
Noyes,
Perkins,
Perry,
Pettibone,
Phelps,
Pope,
Powell,
Prentiss,
Ross,
Russ,
Sanford of Castleton,
Shafter,
Sheldon,
Simonds,
Skiff,
Smith of Addison,
Smith of Barton,
Sprague,
Stark,
Stilphen,
Stoddard,
Taplin,
Taylor,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Van Sicklen,
Wheeler of Winhall,

Wheelock,	Whitelaw,	Willis,
Whitcomb,	Wiley,	Wright,—97.
White,		

So it was decided in the negative.

The House adjourned.

FRIDAY, OCT. 28, 1842.

Prayer by Rev. Eli Ballou.

The Speaker announced the appointment of Mr. Pettibone on the Committee of Claims, in the place of Mr. Smith of Berkshire, who had obtained leave of absence.

The petition of Phinehas Pierce and others, and the petition of Heber Chamberlin and others, each praying for the division of the County of Windsor, were referred to the members from the County of Windsor.

Mr. Roscoe, from the Committee of Claims, to which was referred the resolution instructing said Committee to inquire into the expediency of paying the officers and musicians of the militia, for their services at the annual drill the past season, reported that it is inexpedient to pass any law upon the subject.

Mr. Sprague, from the Committee on Roads, to which were referred the petition of the Sherburne Turnpike Company, praying for an increase of their toll, and the remonstrance of William B. Bascom and others against said increase of toll, reported that the prayer of said petition ought not to be granted; which report was concurred in.

Ordered, That the petitioners have leave to withdraw their petition.

(H. 76.) Mr. Guild, from the Land Tax Committee, to which was referred the bill entitled "an act in amendment of 'an act laying a tax on the lands in Newark,' approved November 11, 1841," reported the same without amendment, and said bill was read the second time.

Ordered, That it be engrossed and read the third time.

(H. 98.) Mr. Guild, from the same Committee, to which was referred the petition of John Cargill and others, praying for a tax on the lands in Wenlock, reported a bill entitled "an act laying a tax on the lands in Wenlock."

Which was read the first and second time.

Ordered, That said bill be engrossed and read the third time.

Mr. Bailey of Elmore, from the General Committee, to which was referred the petition of Heman Greene, praying that a suitable man may be appointed to erect a standard to test or try all compasses and give certificates of their graduation, reported that the prayer thereof ought not to be granted; which report was concurred in.

Ordered, That the petitioner have leave to withdraw his petition.

(H. 44.) Mr. Canfield, from the Judiciary Committee, to which was referred the bill entitled "an act to prevent the importation of paupers into this State," reported that the same ought not to pass.

Which report was concurred in, and said bill was dismissed.

(H. 86.) Mr. Prentiss, from the same Committee, to which was referred the bill entitled "an act to amend section 11 of Chapter 16 of the Revised Statutes," reported the same without amendment, and said bill was read the second time.

Ordered, That it be engrossed and read the third time tomorrow morning.

(H. 21.) Mr. Prentiss, from the same Committee, to which were referred the bill entitled "an act to abolish capital punishment," and the petition of Rowland T. Robinson and others, and the petition of L. V. Piper and others, each praying for the abolition of capital punishment, reported that said bill ought not to pass.

On motion of Mr. Pettibone,

Ordered, That said bill and petitions lie on the table.

On motion of Mr. Cobb, the report of the Committee, appointed at the last session, to investigate the concerns of the Bank of Essex County, was taken up and referred to a select committee of three.

(S. 11.) Mr. Colby, from the Judiciary Committee, to which was referred the bill from the Senate entitled "an act in addition to Chapter 97 of the Revised Statutes," reported the same without amendment; and said bill was read the second time.

Ordered, That it be read the third time tomorrow morning.

(H. 53.) Mr. Colby, from the select committee, to which was referred the bill entitled "an act in addition to Chapter 9 of the Revised Statutes," reported that said bill ought not to pass.

Mr. Moore moved to dismiss said bill; and the question being taken, it passed in the affirmative.

(H. 65.) Mr. Colby, from the same committee, to which was referred the bill entitled "an act to annex the town of Norton to Essex County," reported the same without amendment; and said bill was read the second time.

Ordered, That it be engrossed and read the third time tomorrow morning.

(H. 12.) Mr. Colby, from the Judiciary Committee, to which was referred the bill entitled "an act in alteration of Chapter 25 of the Revised Statutes," reported the same with amendments, which were adopted.

On motion of Mr. Harrington, said bill was ordered to lie on the table.

Mr. Fullerton, from the Committee on Bills, reported that said Committee had this day presented to the Governor, for his approbation and signature, bills of the following titles:

(H. 17.) "An act annexing Johnson's Island to the town of St. Albans."

(H. 66.) "An act constituting Samuel F. Smith an heir-at-law of Harry Holden."

(S. 28.) "An act to pay Lebbeus Egerton the sum therein mentioned,"

(H. 8.) Mr. Warner, from the Committee on Banks, to which was referred the bill entitled "an act to repeal section 38 of Chapter 80 of the Revised Statutes," reported against the passage of said bill.

Which report was concurred in, and said bill was dismissed.

Mr. Roscoe, from the Committee of Claims, to which was referred the account of Jacob Kent jr. against the State, disallowed by the Auditor of Accounts, reported that said claim ought not to be allowed; which report was concurred in.

Ordered, That the claimant have leave to withdraw his said claim.

(S. 20.) Mr. Roscoe, from the same Committee, to which was referred the bill from the Senate entitled "an act to pay the persons therein named the sum therein mentioned," reported a statement of facts relative thereto, and in favor of the passage of the bill.

Said bill was laid on the table, on motion of Mr. Davis of Norwich.

(S. 32.) Mr. Woodbridge, from the Judiciary Committee, to which was referred the bill from the Senate entitled "an act for the benefit of Laura E. Moore and others," reported the same without amendment.

And the question was stated, shall the bill be read the second time? and being taken, was decided in the negative.

And the House refused to concur in the passage thereof.

Mr. Roscoe, from the Committee of Claims, to which was referred the petition of Joseph B. Harwood, praying that a sum of money may be refunded to him, reported that the prayer thereof ought not to be granted.

Mr. Canfield moved to recommit said petition to the Committee of Claims, with instructions to report a bill in conformity with the prayer thereof, with a blank for the sum of money.

And the question being taken, it passed in the affirmative.

(H. 7.) Mr. Woodbridge, from the Judiciary Committee, to which was referred the bill entitled "an act to repeal part of Chapter 83 of the Revised Statutes," reported adversely to the passage thereof.

Mr. Davis of Norwich moved to dismiss said bill; and the question being taken, it passed in the affirmative.

(H. 99.) Mr. Spalding, on leave, introduced a bill entitled "an act repealing the several acts therein mentioned."

Which was read the first time and referred to the General Committee.

Mr. Pettibone introduced the following resolution:

Resolved, That so much of the Governor's message as relates to the veto power, be referred to the special committee raised on the petition of N. Foster and others.

Which was read and passed.

(H. 100.) Mr. Brooks, on leave, introduced a bill entitled "an act to pay Azariah Webb the sum therein mentioned."

Which was read the first time and referred to the Committee of Claims.

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

Mr. Speaker:—His Excellency the Governor has this day approved and signed bills of the following titles:

(H. 17.) "An act annexing Johnson's Island to the town of St. Albans."

(H. 66.) "An act constituting Samuel F. Smith an heir-at-law of Harry Holden."

Mr. Van Sicklen, from the Committee of Claims, to which was recommitted the petition of Edward G. Babcock, praying that relief may be

granted him for an injury received while in the employment of the State; reported that the prayer thereof ought not to be granted; which report was concurred in.

Ordered, That the petitioner have leave to withdraw his petition.

The memorial of Thomas H. Palmer and others, and the memorial of Joshua Atwood and others, each upon the subject of slavery, were read, and referred to the select committee raised on the memorial of Jonathan Warner jr. and others.

A message, in writing, was received from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs, which was read, as follows:

EXECUTIVE CHAMBER,
28th October, 1842.

By a resolution of the last General Assembly the Executive was directed to appoint some person to inquire into the claims this State might have against the General Government, for services rendered during the Revolution. Under that resolution I appointed Henry Stevens Esq. of Barnet; and as the Legislature are now in session, I have transmitted his report to the Senate, that such action may be had upon it as may be deemed proper.

No appropriation was made by the last General Assembly to meet the expense of the investigation which has already been made, or to provide for its further continuance.

As the papers relating to our early legislative proceedings are in a very loose state, I would recommend that they be properly collected and preserved.

CHARLES PAINE.

To the HON. ANDREW TRACY,
Speaker of the House of Representatives.

Said communication was referred to the Committee of Ways and Means.

(S. 6.) Mr. Van Sicklen, from the Committee of Claims, to which was referred the bill from the Senate entitled "an act to pay the town of Alburgh the sum therein mentioned," reported the same without amendment; and said bill was read the second time.

On motion of Mr. Canfield,

Ordered, That said bill lie on the table.

The Speaker announced the appointment of the following gentlemen as the committee, directed to be raised on the report of the committee appointed to investigate the concerns of the Bank of Essex County, namely: Messrs. Canfield, Colby, Noyes.

Mr. Sprague moved to reconsider the vote, by which the House yesterday concurred in the report of the Committee of Elections on the remonstrance of Tappan Stevens, against the election of William H. Carter, the returned member from the town of Newbury, and adopted the resolution reported, as stated in the journal of yesterday; and the question being taken, it passed in the affirmative.

And said remonstrance and report were again recommitted to said Committee of Elections.

The House adjourned.

AFTERNOON.

(S. 42.) The bill from the Senate entitled "an act relating to the taking of testimony" was read the third time, and passed.

(H. 96.) the bill entitled "an act for ascertaining the opinion of the people of this State relative to an amendment of the Constitution" was taken up, on motion of Mr Davis of Norwich, and it was

Ordered, That said bill lie on the table, and that three hundred copies thereof be printed for the use of the House.

(H. 101.) Mr. Warner, on leave, introduced a bill entitled "an act relating to Banks."

Which was read the first time and referred to the Committee on Banks.

(H. 88.) Mr. Warner, from the Committee on Banks, to which was referred the bill entitled "an act to repeal the providing clause of section 24 of 'an act relating to Banks,' approved October 28, 1840," reported that said bill ought not to pass.

On motion of Mr Harrington,

Ordered, That said bill lie on the table.

A message from the Senate, by Mr Clarke, their Secretary:

Mr. Speaker:—The Governor has announced to the Senate that he has this day approved and signed the bill (S. 28) entitled "an act to pay Lebbeus Egerton the sum therein mentioned."

The Senate have passed bills of the following titles, in which they request the concurrence of the House of Representatives, namely:

(S. 16.) "An act in addition to an act entitled 'an act for the relief of the Insane poor.'"

(S. 31.) "An act in relation to actions of scire facias."

(S. 34.) "An act defining the 4th and 5th clauses of the 1st section of the 47th Chapter of the Revised Statutes."

The Senate concur with this House in passing bills of the following titles, namely:

(H. 1.) "An act to repeal an act therein mentioned."

(H. 61.) "An act in alteration of 'an act altering the boundary line between Salisbury and Leicester."

(H. 67.) "An act to credit the town of Manchester the sum therein mentioned."

(S. 22.) Mr. Jones of Waitsfield, from the Committee of Agriculture, to which was referred the bill from the Senate entitled "an act in addition to Chapter 69 of the Revised Statutes," reported the same without amendment; and said bill was read the second time.

Ordered, That it be read the third time tomorrow afternoon.

(H. 102.) Mr. Roscoe, from the Committee of Claims, to which was recommitted the petition of Joseph B. Harwood, praying that a sum of money may be refunded to him, with instructions to report a bill agreeably to the prayer of the petition, reported a bill entitled "an act to pay Joseph B. Harwood the sum therein mentioned."

Which was read the first time.

Mr. Kent moved to dismiss said bill.

And the question being taken, it passed in the affirmative.

(S. 20) The bill from the Senate entitled "an act to pay the persons therein named the sum therein mentioned," which was, this forenoon, ordered to lie on the table, was taken up, on motion of Mr. Morrill of Danville, and read the second and third time.

On motion of Mr. Wardner,

Ordered, That said bill lie on the table.

(H. 10.) Mr. Bailey of Elmore, from the General Committee, to which was referred the bill entitled "an act in amendment of Chapter 107 of the Revised Statutes," reported the same with amendments, which were disagreed to by the House.

Said bill was amended, by striking out the *third* section; when

Mr. Prentiss moved to dismiss said bill.

And on the question, shall the bill be dismissed? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Aldrich,	Flagg,	Keese,
Atwood,	Foster of Berlin,	Morse,
Barber of Enosburgh,	Fox,	Prentiss,
Bliss,	Gould,	Smith of Addison,
Brooks,	Henry,	Tracy,—16.
Edmonds,		

Those who voted in the negative are, Messrs.

Adams,	Charlton,	Gould,
Ambler,	Clapp,	Gove,
Austin,	Cobb of Strafford,	Graves,
Bailey of Elmore,	Colby,	Green,
Bailey of Lemington,	Cooper,	Griggs,
Baker,	Cummings,	Grow,
Ball,	Cushman,	Harris of Mansfield,
Barr,	Daniels,	Harris of Windham,
Barber of Mount Holly,	Davis of Baltimore,	Hartshorn,
Barber of Pownal,	Davis of Norwich,	Hazen,
Barden,	Dewing,	Hill,
Barney,	Denison of Hartland,	Hinds,
Barton,	Douglass of Waterbury,	Hodgkins,
Bennett,	Dustin,	Holden,
Billings,	Eames,	Hollister of Marshfield,
Blake,	Eaton,	Hollister of Pawlet,
Boardman of Hydepark,	Ellsworth,	Houghton,
Bottum,	Esty,	Howard of Andover,
Bowe,	Field,	Howard of Benson,
Bowman,	Fish,	Howe of Vernon,
Brackett,	Flint of Braintree,	Howe of Williamstown,
Bradley,	Flint of Lowell,	Hyde,
Brigham,	Folsom,	Ingalls,
Brown of Whiting,	Foster of Tunbridge,	Jackson,
Brown of Whitingham,	French,	Janes,
Bump,	Fuller,	Jewett,
Caldwell of Mendon,	Fullerton,	Johnson,
Canfield,	Gay,	Jones of Dover,
Chamberlin,	Goodsill,	Jones of Waitsfield,

Judson,	Page of Westminster,	Smith of Monkton,
Keith,	Park,	Soule,
Kellogg,	Peck,	Sprague,
Kent,	Pettibone,	Stanton,
Kibby,	Phelps,	Stoddard,
Kidder,	Pond,	Taplin,
Kinsley,	Pope,	Taylor,
Lackie,	Powell,	Towle,
Ladd of Grand Isle,	Rice,	Turner,
Lamb,	Richardson,	Tuttle of Sandgate,
Lyon,	Robbins,	Tuttle of Weathersfield,
Marshall,	Ross,	Tyler,
May,	Rowell,	Van Sicklen,
McFarland,	Russ,	Vilas,
McLoud,	Russell,	Wardner,
Moon,	Sanford of Castleton,	Webster of Cabot,
Moore,	Sanford of Cornwall,	Webster of Colchester,
Morrill of Canaan,	Scott,	Welch,
Morrill of Danville,	Shafter,	Wells,
Mott,	Shattuck,	Wheeler of Reading,
Naramore,	Sheldon,	Whipple,
Needham,	Simonds,	Whitcomb,
Niles,	Skiff,	White,
Norris,	Slack,	Whitney,
Noyes,	Small,	Wiggins,
Paddock,	Smeed,	Willis,
Page of Corinth,	Smith of Barton,	Winslow,
Page of Plainfield,	Smith of Hinesburgh,	Wright,—171.

So it was decided in the negative.

Leave of absence for the remainder of the session, from and after tomorrow, was granted to Mr. Phelps, the representative from the town of Troy.

When
The House adjourned.

SATURDAY, OCT. 29, 1842.

Prayer by Rev. Sherman Kellogg.

Leave of absence for the remainder of the session was granted to Mr. Carter, the representative from the town of Newbury, from and after today; and to Mr. Wright, the representative from the town of Shoreham, from and after Monday next.

The petition of the Essex County Grammar School at Guildhall was referred to the Judiciary Committee.

(S. 16.) The bill from the Senate entitled "an act in addition to an act entitled 'an act for the relief of the Insane poor'" was read the first and second time, and ordered to be read the third time on Monday morning next.

(S. 31.) The bill from the Senate entitled "an act in relation to actions of scire facias" was read the first and second time, and referred to the Judiciary Committee.

(S. 34.) The bill from the Senate entitled "an act defining the 4th and 5th clauses of the 1st section of the 47th Chapter of the Revised Statutes" was read the first time, and referred to the Judiciary Committee.

A message from the Senate, by Mr. Clarke, their Secretary:

Mr. Speaker:—The Senate have appointed, as the committee, on their part, on the resolution referring to a joint committee documents sent to either House, for the use of the General Assembly, the following gentlemen, namely: Messrs. Camp, Smalley, Green.

(H. 10.) The House resumed the consideration of the bill entitled "an act in amendment of Chapter 107 of the Revised Statutes," which was pending at the adjournment yesterday, and said bill was read the second time, and amended, on motion of Mr. Rice.

On motion of Mr. Harrington,

Ordered, That said bill lie on the table.

(H. 103.) Mr. Marshall, on leave, introduced a bill entitled "an act in addition to Chapter 13 of the Revised Statutes."

Which was read the first time and referred to the Judiciary Committee.

(H. 104.) Mr. Bottum, on leave, introduced a bill entitled "an act to alter section 16 of Chapter 88 of the Revised Statutes."

Which was read the first time and referred to the Committee of Agriculture.

(H. 18.) Mr. Vilas, from the Judiciary Committee, to which was referred the bill entitled "an act in alteration of Chapter 83 of the Revised Statutes," reported that said bill ought not to pass

Mr. Cobb of Strafford moved to dismiss said bill; and the question being taken, it passed in the affirmative.

The Speaker announced the following gentlemen as the committee, on the part of the House, on the resolution referring to a joint committee documents sent to either House for the use of the General Assembly, namely:

Messrs. Van Sicklen, Gove, Fox.

A message, in writing, was received from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs, which was read, as follows:

Executive Chamber,
29th October, 1842.

I have the honor to inform the House of Representatives, that I have transmitted to the Senate, for the use of the General Assembly, the report of the Commissioners appointed to visit the University of Vermont, and I herewith transmit to you, by request, a copy of the proceedings of a Military Convention lately held at this place.

CHARLES PAINE.

Hon. Andrew Tracy,
Speaker of the House of Representatives.

The proceedings of the Military Convention, referred to in said message, were read, and ordered to lie on the table, on motion of Mr. Canfield.

(H. 15.) Mr. Canfield, from the select committee to which was referred the bill entitled "an act to divide the State into Congressional Districts," reported the same without amendment.

On motion of Mr. Baker,

Ordered, That said bill lie on the table, and be made the order of the day for Tuesday morning next.

(S. 11.) The bill from the Senate entitled "an act in addition to Chapter 97 of the Revised Statutes" was read the third time, and ordered to lie on the table, on motion of Mr. Cobb of Strafford.

Engrossed bills of the following titles were severally read the third time and passed, namely:

(H. 65.) "An act to annex the town of Norton to the County of Essex."

(H. 76.) "An act in amendment of 'an act laying a tax on the lands in Newark,' approved November 11, 1841."

(H. 86.) "An act to amend section 11 of Chapter 16 of the Revised Statutes."

(H. 98.) "An act laying a tax on the lands in Wenlock."

(H. 37.) Mr. Rice, from the Committee to make up the Grand List, to which was referred the bill entitled "an act for the relief of the town of Springfield," reported that said bill ought not to pass.

Which report was concurred in, and said bill was dismissed, on motion of Mr. Henry.

(H. 27.) Mr. Rice, from the same Committee, to which was referred the bill entitled "an act for the relief the town of Norwich," reported that said bill ought not to pass.

Mr. Henry moved to dismiss said bill; and the question being taken, it passed in the affirmative.

(H. 31.) Mr. Rice, from the same Committee, to which was referred the bill entitled "an act for the relief of the town of Pomfret," reported that said bill ought not to pass.

Which report was concurred in, and said bill was dismissed, on motion of Mr. Graves.

(H. 105.) Mr. Bailey of Elmore, from the General Committee, to which were referred the petition of James Fuller and others, and the petition of Ephraim Rice and others, each praying for the alteration of the boundaries of Dover, Somerset, and Stratton, and the memorial of Milton Warner and others against the alteration of said boundaries, reported a bill entitled "an act annexing a part of Somerset to the towns of Dover and Stratton."

Which was read the first time.

On motion of Mr. Shafter,

Ordered, That said bill lie on the table.

The following documents were called up and ordered as follows:

The Report of the Directors and Superintendent of the State Prison, and the papers accompanying the same, were referred to the Committee on the State Prison.

The Report of the Auditor in the Treasury Department, the Report of the Treasurer upon the Safety Fund, the Report of the Auditor in the

Treasury Department upon the School Fund, and the Auditor's Abstract of Orders drawn on the Treasury, were severally referred to the Committee of Ways and Means.

(H. 106.) Mr. Bailey of Lemington, from the Land Tax Committee, to which was referred the petition of Abner Jackman and others, praying for an amendment of the act laying a tax on the lands in Avery's Gore in Addison County, reported a bill entitled "an act in amendment of an act laying a tax on the lands in Avery's Gore in Addison County."

Which was read the first time.

On motion of Mr. Warner,

Ordered, That said bill lie on the table.

(H. 107.) Mr. Barber of Mount Holly, on leave, introduced a bill entitled "an act in addition to Chapter 49 of the Revised Statutes."

Which was read the first time and referred to the Judiciary Committee.

(H. 108.) Mr. Davis of Norwich, on leave, introduced a bill entitled "an act to amend section 6 of Chapter 83 of the Revised Statutes."

Which was read the first time and referred to the General Committee.

(H. 109.) Mr. Van Sicklen, on leave, introduced a bill entitled "an act in relation to victualling houses."

Which was read the first time and referred to the General Committee.

(H. 110.) Mr. Smith of Monkton, on leave, introduced a bill entitled "an act to repeal certain parts of Chapters 15 and 16 of the Revised Statutes, relative to paupers."

Which was read the first time and referred to the Judiciary Committee.

The House adjourned.

AFTERNOON.

(S. 22.) The bill from the Senate entitled "an act in addition to Chapter 69 of the Revised Statutes" was read the third time and passed.

(H. 56.) Mr Bailey of Elmore, from the General Committee, to which were referred the petition of John Child and others, praying for the passage of an act to restrict the killing or taking of muskrats to the months of March, April, and May, and the bill entitled "an act for the preservation of muskrats," reported the said bill with an amendment, which amendment was disagreed to by the House.

Mr. Harrington moved to dismiss said bill.

And the question being taken, it passed in the affirmative.

The petition of John Field and others, the petition of Gideon Bingham and others, and the petition of Peleg Morey and others, each praying for the division of Windsor County, were severally referred to the members from the County of Windsor.

Mr. Shafter, from the Committee of Elections, to which were recommitted the remonstrance of Tappan Stevens against the election of William

H. Carter, the returned member from the town of Newbury, and the report of said Committee thereon, asked that said Committee might be discharged from the further consideration thereof.

And the question being taken, the House discharged said Committee from the further consideration of said contested election; and it was

Ordered, That the remonstrant have leave to withdraw his remonstrance.

(S. 6.) The bill from the Senate entitled "an act to pay the town of Alburgh the sum therein mentioned" was read the third time and passed.

The House adjourned.

MONDAY, OCT. 31, 1842.

Prayer by Rev. Alanson St. Claire.

Leave of absence was granted to Mr. Stilphen, the representative from the town of St. Albans, from and after to-day, for the remainder of the session.

On motion of Mr. Vilas, the Judiciary Committee was discharged from the further consideration of the resolution, instructing said Committee to inquire into the expediency of exempting from taxation the polls of the militia returned equipped.

(H 90.) On motion of Mr. Vilas, the Judiciary Committee was discharged from the further consideration of the bill entitled "an act to alter the name of Elvira Patterson and make her heir-at-law of Osee F. and Huldah Allen."

And said bill was referred to the General Committee.

(H. 111.) Mr. Canfield, on leave, introduced a bill entitled "an act in addition to an act to incorporate the Bennington County Mutual Fire Insurance Company"

Which was read the first time and referred to the Judiciary Committee.

(H. 112.) Mr. Pettibone, on leave, introduced a bill entitled "an act to equalize the privileges of the inhabitants of this State, and to remove odious distinctions between them."

Which was read the first time and referred to the Judiciary Committee.

(S. 16.) The bill from the Senate entitled "an act in addition to an act entitled 'an act for the relief of the Insane poor'" was read the third time and passed.

(H. 89.) Mr. Canfield, from the Judiciary Committee, to which was referred the bill entitled "an act in addition to an act to incorporate the Windsor County Mutual Fire Insurance Company," reported the same without amendment; and said bill was read the second time.

Ordered, That it be engrossed and read the third time.

(H. 25.) Mr. Vilas, from the same Committee, to which was referred the bill entitled "an act in explanation of section 14 of Chapter 18 of the Revised Statutes," reported that said bill ought not to pass.

Mr. Harrington moved to dismiss the bill.

And the question being taken, it passed in the affirmative.

(H. 78.) Mr. Vilas, from the same Committee, to which was referred the bill entitled "an act to amend Chapter 24 of the Revised Statutes," reported that said bill ought not to pass.

Which report was concurred in, and said bill was dismissed, on motion of Mr. Baker.

(H 11.) Mr. Vilas, from the same Committee, to which was referred the bill entitled "an act to repeal section 2 of Chapter 29 of the Revised Statutes," reported that the same ought not to pass.

On motion of Mr. Cushman, said bill was ordered to lie on the table.

(H. 74.) Mr. Vilas, from the same Committee, to which was referred the bill entitled "an act in relation to the privilege of witnesses," reported that the same ought not to pass.

Mr. Fox moved to dismiss said bill.

And the question being taken, it passed in the affirmative.

(H. 26.) Mr. Vilas, from the same Committee, to which was referred the bill entitled "an act in amendment of section 34 of Chapter 29 of the Revised Statutes," reported adversely to the passage thereof.

Mr. Baker moved to dismiss said bill.

And the question being taken, it passed in the affirmative.

(H. 9) Mr. Vilas, from the same Committee, to which was referred the bill entitled "an act to amend section 7 of Chapter 49 of the Revised Statutes," reported that said bill ought not to pass.

Mr. Gay moved to dismiss said bill.

And the question being taken, it passed in the affirmative.

A message from the Senate, by Mr Clarke, their Secretary:

MR. SPEAKER:—The Senate concur with the House of Representatives in passing the bill (H. 50) entitled "an act in addition to 'an act to repeal part of Chapter 90 of the Revised Statutes,' approved November 3, 1841."

(H. 6) The Senate do not concur in passing the bill entitled "an act in addition to Chapter 29 of the Revised Statutes.

(H. 107.) Mr. Vilas, from the Judiciary Committee, to which was referred the bill entitled "an act in addition to Chapter 49 of the Revised Statutes," reported that said bill ought not to pass.

Which report was concurred in, and said bill was dismissed.

(H. 110.) Mr. Vilas, from the same Committee, to which was referred the bill entitled "an act to repeal certain parts of Chapters 15 and 16 of the Revised Statutes, relative to paupers," reported that the same ought not to pass.

Which report was concurred in, and said bill was dismissed.

(H. 113.) Mr. Vilas, from the same Committee, to which was referred the resolution, directing said Committee to inquire into the expediency of providing by law for having a roll or check list kept of the names of all persons who vote for Governor, and other State officers, at the annual freemen's meetings, reported a bill entitled "an act relating to elections."

Which was read the first and second time.

Mr. Bottum moved to dismiss said bill.

And the question being taken was decided in the negative.

Ordered, That said bill be engrossed and read the third time tomorrow morning.

Mr. Shafter, from the Committee on the State Prison, to which was referred the petition of the town of Burlington, praying for remuneration for expenses incurred in the support of certain paupers, reported a statement of facts, and that the prayer thereof ought not to be granted.

On motion of Mr. Canfield, said petition and report were recommitted to said Committee.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—I am directed by the Senate to request of the House of Representatives, that the bill (H. 6) entitled "an act in addition to Chapter 29 of the Revised Statutes," which was this morning returned to this House from the Senate with their non-concurrence in the passage thereof, may be returned to the Senate for their further consideration.

Whereupon, it was

Ordered, That the said bill be returned to the Senate, by the Clerk, agreeably to said request.

Mr. Fullerton, from the Committee on Bills, reported that said Committee, on the 29th instant, presented to the Governor, for his approbation and signature, bills of the following titles, namely:

(H. 1.) "An act to repeal an act therein mentioned."

(H. 61.) "An act in alteration of an act altering the boundary line between Salisbury and Leicester."

(H. 67.) "An act to credit the town of Manchester the sum therein mentioned."

(H. 109.) Mr. Bailey of Elmore, from the General Committee, to which was referred the bill entitled "an act in relation to victualling houses," reported that said bill ought not to pass.

Mr. Van Sicklen moved to refer said bill to the Judiciary Committee.

And the question being taken, it passed in the affirmative.

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

MR. SPEAKER:—His Excellency the Governor did, on Saturday last, approve and sign bills of the following titles, namely:

(H. 1.) "An act to repeal an act therein mentioned."

(H. 61.) "An act in alteration of an act altering the boundary line between Salisbury and Leicester."

(H. 67.) "An act to credit the town of Manchester the sum therein mentioned."

(H. 108.) Mr. Bailey of Elmore, from the General Committee, to which was referred the bill entitled "an act to amend section 6 of Chapter 83 of the Revised Statutes," reported the same with an amendment, which was adopted.

Said bill was further amended, on motion of Mr. Woodbridge, and read the second time.

Ordered, That it be engrossed and read the third time tomorrow morning.

(H. 99.) Mr. Bailey of Elmore, from the same Committee, to which was

referred the bill entitled "an act repealing the several acts therein mentioned," reported that said bill ought not to pass.

Mr. Fox moved to dismiss said bill.

And the question being taken, it passed in the affirmative.

Mr. Warner, from the Committee on Banks, to which was referred the petition of M. G. Langdon and others, praying for an extension of the time for paying in the balance of the capital stock of the Bank of Poultney, reported that the prayer thereof ought not to be granted.

On motion of Mr. Harrington, said petition and report were ordered to lie on the table.

(H. 80.) Mr. Warner, from the same Committee, to which was referred the bill entitled "an act in relation to the Bank of Montpelier," reported that the same ought not to pass.

On motion of Mr. Peck, said bill was ordered to lie on the table.

(H. 101.) Mr. Noyes, from the same Committee, to which was referred the bill entitled "an act relating to Banks," reported the same without amendment; and said bill was read the second time.

On motion of Mr. Pettibone,

Ordered, That said bill lie on the table.

(H. 59.) Mr. Warner, from the same Committee, to which was referred the bill entitled "an act to amend 'an act relating to Banks,' approved October 28, 1840," reported that said bill ought not to pass.

Mr. Cobb moved to dismiss said bill.

And the question being taken, it was decided in the negative.

On motion of Mr. Woodbridge, said bill was ordered to lie on the table.

The Speaker announced the appointment of Mr. Carpenter on the Committee of Ways and Means, in the place of Mr. Wright, who had obtained leave of absence.

In pursuance of section 6 of the Rules of the House, Mr. Shafter excused himself from serving on the select committee, raised on the memorial of Nathan Foster and others, upon the subject of the veto power of the President of the United States, he being a member of other committees.

The House adjourned.

AFTERNOON.

The Speaker announced the appointment of Mr. Baker on the Committee of Claims, in the place of Mr. Stilphen, who had obtained leave of absence; and of Mr. Woodbridge on the select committee raised on the memorial of Nathan Foster and others, upon the subject of the ve o power of the President of the United States, in the place of Mr. Shafter, who had this forenoon excused himself from acting on said committee.

(H. 35.) On motion of Mr. Sprague, the Committee to equalize the Grand List was excused from the further consideration of the bill entitled "an act in addition to 'an act relating to the Grand List,' approved November 11,

1841," and said bill was referred to the Committee to make up the Grand List.

(H. 114.) Mr. Stark, on leave, introduced a bill entitled "an act to define section 14 of Chapter 1 of the Revised Statutes."

Which was read the first time and referred to the General Committee.

(H. 105.) The House proceeded, on motion of Mr. Rice, to consider the bill entitled "an act annexing a part of Somerset to the towns of Dover and Stratton," which had been ordered to lie on the table.

On motion of Mr. Shafter, said bill was referred to the members from Windham County.

(H. 115.) Mr. Sprague, from the Committee on Roads, to which were referred the petition of Robert Witherspoon and others, and the petition of Samuel Lamberton and others, each praying for the grant of a turnpike from Marshfield up the valley of Molly's Brook to Molly's Pond in Cabot, reported a bill entitled "an act to incorporate the Molly's Brook Turnpike Company."

Which was read the first and second time.

And the question was stated, shall the bill be engrossed and read the third time? and being taken was decided in the negative.

And said bill was rejected.

Mr. Vilas introduced the following resolutions:

Resolved, by the Senate and House of Representatives, That our Senators in Congress be instructed, and our Representatives requested, to exert their endeavors to procure the passage of an act, to refund to General Andrew Jackson, of Tennessee, the amount of a fine or penalty, imposed upon him for official acts performed as the Commander-in-Chief of the military forces of the United States, at New Orleans, in 1815, together with the interest thereon from the time of its payment.

Resolved, That the "invaluable services which have been rendered to our country by this distinguished soldier and statesman, the noble and patriotic motives which led to the performance of the acts for which the penalty was imposed, the imperious necessity that existed for their performance, and the happy consequences they occasioned to the whole country, all prove the gross injustice of longer delaying the performance of this high moral obligation.

Resolved, further, That our Senators in Congress be instructed, and our Representatives requested, to use their best exertions to oppose the payment of a pretended claim of the heirs of the late General Hull, for his pay as an officer after he had traitorously surrendered our army under his command into the hands of the enemy.

Resolved, That the Governor be requested to transmit copies of the foregoing resolutions to each of our Senators and Representatives in Congress.

Which was read; and, on motion of Mr. Cushman,

Ordered, That said resolutions lie on the table, and be made the order of the day for Wednesday morning next.

(H. 116.) Mr. Harrington, on leave, introduced a bill entitled "an act in amendment of an act entitled 'an act to incorporate the President, Directors and Company of the Bank of Poultney.'"

Which was read the first time and referred to the Committee on Banks.

The petition of John Lynde and others was referred to the Judiciary Committee.

Mr. Woodbridge, from the select committee to which was referred the petition of Ira Coolidge and others, praying that John Sweat and Samuel McLane may be restored to their legal privileges, reported that the Governor has full power over the subject, and asked that said committee might be discharged from the further consideration thereof; which report was concurred in.

Ordered, That the petitioners have leave to withdraw their petition.

(H. 69.) On motion of Mr. Wardner, the Committee of Ways and Means was discharged from the further consideration of the bill entitled "an ac to repeal section 2 of 'an act in addition to the several acts regulating and governing the militia,' approved November 11, 1841;" and said bill was dismissed.

(H. 48.) On motion of Mr. Wardner, the same Committee was discharged from the further consideration of the bill entitled "an act to pay Danforth & Lewis the sum therein mentioned."

And said bill was referred to the Committee of Claims, on motion of Mr. Davis of Norwich.

Mr. Pettibone, from the Committee of Claims, to which was referred the petition of John M. Potter, praying that he may be paid for certain services rendered at the execution of Archibald L. Bates, reported that the prayer thereof ought not to be granted; which report was concurred in.

Ordered, That the petitioner have leave to withdraw his petition.

(H. 63.) Mr. Van Sicklen, from the Committee of Claims, to which was referred the bill entitled "an act to pay Asa Gaines the sum therein mentioned," reported that said bill ought not to pass.

Mr. Fox moved to dismiss said bill.

And the question being taken, it passed in the affirmative.

Mr. Roscoe, from the same Committee, to which was referred the petition of William Simmons, praying for a grant of land, reported that the prayer thereof ought not to be granted; which report was concurred in.

Ordered, That the petitioner have leave to withdraw his petition.

(H. 100.) Mr. Roscoe, from the same Committee, to which was referred the bill entitled "an act to pay Azariah Webb the sum therein mentioned," reported that said bill ought not to pass.

Mr. Graves moved to dismiss said bill.

And the question being taken, it passed in the affirmative.

Mr. Warner, from the Committee on Banks, to which was referred the petition of Shubael Wardner and others, praying for the incorporation of a Bank at Windsor, reported that the prayer thereof ought not to be granted.

On motion of Mr. Wardner,

Ordered, That said petition lie on the table.

(H. 117.) Mr. Cobb of Strafford, on leave, introduced a bill entitled "an act in addition to Chapter 91 of the Revised Statutes."

Which was referred to the Committee of Agriculture.

Mr. Cummings introduced the following resolution:

Resolved, That the Committee on Education be directed to inquire into the expediency of so amending the 29th section of the 18th Chapter of the Revised Statutes, as to require the selectmen of each town in this

State to assess ten cents on a dollar of the lists of such town, in lieu of three cents on the dollar.

Which was read; and on the question, shall the resolution pass? it was decided in the negative.

(H. 21.) On motion of Mr. Pettibone, the House proceeded to consider the bill entitled "an act to abolish capital punishment," which, on the 28th instant, was ordered to lie on the table.

Mr. Fox moved to dismiss said bill.

And on the question, shall the bill be dismissed? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,
Aiken,
Aldrich,
Atwood,
Austin,
Bacon,
Ball,
Barr,
Barber of Enosburgh,
Barber of Mount Holly,
Barber of Pownal,
Barden,
Blake,
Bottum,
Bowe,
Bradley,
Briggs,
Bump,
Caldwell of Lincoln,
Canfield,
Chamberlin,
Charlton,
Clapp,
Clark,
Cobb of Tinmouth,
Colby,
Cooper,
Cummings,
Cushman,
Daniels,
Davis of Baltimore,
Dewing,
Denison of Hartland,
Douglass of Richmond,
Douglass of Waterbury,
Dustin,
Ellis,
Emery,
Esty,
Field,
Fish,
Flagg,
Foster of Berlin,
Foster of Tunbridge,
Fox,
French,
Fullerton,
Gay,
Glazier,
Goodsill,
Gould,
Graves,
Green,
Grow,
Guild,
Harris of Windham,
Hartshorn,
Henry,
Holden,
Hollister of Marshfield,
Howard of Benson,
Howe of Vernon,
Hyde,
Ingalls,
Jackson,
Janes,
Johnson,
Judson,
Lackie,
Lamb,
Lyon,
May,
Moon,
Morrill of Canaan,
Mott,
Newell,
Niles,
Noyes,
Paddock,
Page of Westminster,
Perkins,
Powell,
Prentiss,
Roscoe,
Ross,
Russ,
Russell,
Sanford of Castleton,
Shafter,
Sheldon,
Skiff,
Smeed,
Smith of Hinesburgh,
Taplin,
Taylor,
Towle,
Tracy,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Tyler,
Warner,
Welch,
Wheeler of Reading,
Wheeler of Winhall,
Wheelock,
Whitcomb,
Whitelaw,
Wiggins,
Willis,
Woodbridge,—110.

Those who voted in the negative are, Messrs.

Ambler,
Bailey of Elmore,
Bailey of Lemington,
Baker,
Barton,
Bennett,
Billings,
Boardman of Hydepark,
Bowman,
Brackett,
Brigham,
Brooks,

Brown of Whiting,
Brown of Whitingham,
Caldwell of Mendon,
Carpenter,
Cobb of Strafford,
Colton,
Davis of Norwich,
Eager,
Eames,
Eaton,
Edmonds,
Ellsworth,
Flint of Braintree,
Folsom,
Fuller,
Gove,
Griggs,
Harrington,
Harris of Mansfield,
Hazen,
Hill,
Hinds,
Hodgkins,
Holcomb,
Hollister of Pawlet,
Houghton,
Howard of Andover,
Howe of Williamstown,
Jewett,
Jones of Dover,
Jones of Waitsfield,
Keese,
Keith,
Kibby,
Kidder,
Kinsley,
Ladd of Grand Isle,
Ladd of Wolcott,
Lockwood,
Marshall,
Martindale,
McFarland,
McLoud,
Moore,
Morrill of Danville,
Morse,
Naramore,
Needham,
Norris,
Page of Corinth,
Page of Plainfield,
Peck,
Pettibone,
Pond,
Pope,
Rice,
Richardson,
Robbins,
Rowell,
Sanford of Cornwall,
Scott,
Simonds,
Small,
Smith of Addison,
Smith of Barton,
Smith of Monkton,
Soule,
Spalding,
Sprague,
Stanton,
Stark,
Stoddard,
Turner,
Van Sicklen,
Vilas,
Walker,
Webster of Cabot,
Webster of Colchester,
Wells,
Whipple,
White,
Whitney,
Winslow,—95.

So it passed in the affirmative.

The House adjourned.

TUESDAY, NOV. 1, 1842.

Prayer by Rev. Samuel Parker.

On motion of Mr. Pettibone,

Leave was granted to the Committee on the State Prison to sit during the sessions of the House.

Engrossed bills of the following titles were severally read the third time and passed, namely:

(H. 89.) "An act in addition to an act to incorporate the Windsor County Mutual Fire Insurance Company."

(H. 108.) "An act to amend section 6 of Chapter 83 of the Revised Statutes."

(H. 113.) "An act relating to elections."

The petition of Mary S. Hurlburt was referred to the General Committee.

The petition of Ira Burbank and others, and the petition of Jacob Fox and others, each praying for the division of the County of Windsor, were referred to the members from the County of Windsor.

Mr. Moore introduced the following resolution:

Resolved, That the Judiciary Committee be instructed to inquire into the legality and expediency of taxing real estate *used* for public, pious or charitable purposes, which was not originally granted or sequestered for such purpose.

Which was read and passed.

(H. 115.) Mr. Keith moved to reconsider the vote, by which the House yesterday refused to order to the third reading the bill entitled "an act to incorporate the Molly's Brook Turnpike Company;" and the question being taken, it passed in the affirmative.

Ordered, That said bill be engrossed and read the third time.

(H. 118.) Mr. Wardner, on leave, introduced a bill entitled "an act to incorporate the Ascutney Bank."

Which was read the first and second time, and it was

Ordered. That said bill lie on the table, and be made the order of the day for Thursday afternoon next.

Mr. Guild introduced the following resolution:

Resolved, That the Judiciary Committee be directed to inquire into the expediency and legality of passing an act to assess the betterments on public lands, and set them in the list of the several towns in this State, the same as other property.

Which was read and passed.

A message from the Senate, by Mr. Clarke, their Secretary:

Mr. Speaker:—The Senate concur with the House of Representatives in passing bills of the following titles:

(H. 52.) "An act in addition to Chapter 18 of the Revised Statutes."

(H. 76.) "An act in amendment of 'an act laying a tax on the lands in Newark,' approved November 11, 1841."

(H. 98.) "An act laying a tax on the lands in Wenlock."

Mr. Fullerton, from the Committee on Bills, reported that said Committee had this day presented to the Governor, for his approbation and signature, bills of the following titles,:

(H. 50.) "An act in addition to 'an act to repeal part of Chapter 90 of the Revised Statutes,' approved November 3, 1841."

(S. 6.) "An act to pay the town of Alburgh the sum therein mentioned."

(S. 16.) "An act in addition to an act entitled 'an act for the relief of the Insane poor.'"

(S. 22.) "An act in addition to Chapter 69 of the Revised Statutes."

(S. 42.) "An act relating to the taking of testimony."

A message from the Senate, by Mr Clarke, their Secretary:

Mr. Speaker:—The Governor has announced to the Senate that he has this day approved and signed bills of the following titles, namely:

(S. 6.) "An act to pay the town of Alburgh the sum therein mentioned."

(S. 16.) "An act in addition to an act entitled 'an act for the relief of the Insane poor.'"

(S. 22.) "An act in addition to Chapter 69 of the Revised Statutes."
(S. 42.) "An act relating to the taking of testimony."

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

Mr. Speaker:—His Excellency the Governor has this day approved and signed the bill (H. 50) entitled "an act in addition to 'an act to repeal part of Chapter 90 of the Revised Statutes,' approved November 3, 1841."

(H. 15.) The House proceeded to the order of the day, which was the bill entitled "an act to divide the State into Congressional Districts."

Said bill was read the second time.

Mr. Rice moved to amend the *second* section, which is as follows:

"Sec. 2. The first District shall be composed of tne Counties of Windham, Bennington and Rutland."

The amendment proposed was, to strike out the words "*Bennington and Rutland*," and insert in lieu thereof the word "*Windsor*."

And the question being taken, the House disagreed to said amendment.

Mr. Wardner moved to lay said bill on the table, and to make it the order of the day for this afternoon.

And the question being taken was decided in the negative.

Mr. Vilas moved to amend the *third* section, which is as follows:

"Sec. 3. The second District comprises the Counties of Windsor and Orange."

By striking out the word "*Orange*" and inserting the word "*Windham*."

And on the question, shall the proposed amendment be adopted? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,	French,	May,
Aiken,	Fuller,	McFarland,
Austin,	Gay,	McLoud,
Bacon,	Glazier,	Moon,
Bailey of Lemington,	Gould,	Morrill of Canaan,
Baker,	Gove,	Morrill of Danville,
Barr,	Grow,	Naramore,
Barber of Pownal,	Harrington,	Needham,
Bennett,	Harris of Mansfield,	Niles,
Boardman of Hydepark,	Hazen,	Norris,
Brackett,	Henry,	Page of Corinth,
Brigham,	Hill,	Page of Plainfield,
Brown of Whitingham,	Hodgkins,	Page of Westminster,
Bump,	Holcomb,	Parker,
Caldwell of Mendon,	Hollister of Marshfield,	Peck,
Charlton,	Houghton,	Perkins,
Cobb of Strafford,	Ingalls,	Pettibone,
Colby,	Jewett,	Pope,
Colton,	Jones of Dover,	Powell,
Davis of Norwich,	Judson,	Rice,
Douglass of Richmond,	Keith,	Rowell,
Eager,	Kent,	Sanborn,
Eaton,	Kibby,	Scott,
Ellsworth,	Ladd of Wolcott,	Shattuck,
Flint of Braintree,	Marshall,	Small,
Flint of Lowell,	Martindale,	Smith of Monkton,

Soule,
Stanton,
Taplin,
Taylor,
Turner,
Tyler,
Vilas,
Walker,
Webster of Cabot,
Webster of Colchester,
Wells,
Wheelock,
Whitney,
Wiggins,
Willis,—93.

Those who voted in the negative are, Messrs.

Aldrich,
Ambler,
Atwood,
Ball,
Barber of Enosburgh,
Barber of Mount Holly,
Barden,
Barney,
Barton,
Billings,
Blake,
Bliss,
Boardman of Milton,
Bogue,
Bottum,
Bowe,
Bowman,
Briggs,
Brooks,
Brown of Whiting,
Caldwell of Lincoln,
Canfield,
Carpenter,
Chamberlin,
Clapp,
Clark,
Cobb of Tinmouth,
Cooper,
Cummings,
Cushman,
Daniels,
Davis of Baltimore,
Dewing,
Denison of Hartland,
Dustin,
Eames,
Edmonds,
Ellis,
Emery,
Esty,
Field,
Fish,
Flagg,
Folsom,
Foster of Berlin,
Foster of Tunbridge,
Fox,
Fullerton,
Goodsill,
Graves,
Green,
Griggs,
Guild,
Harris of Windham,
Hartshorn,
Hinds,
Holden,
Hollister of Pawlet,
Howard of Andover,
Howard of Benson,
Howe of Vernon,
Howe of Williamstown,
Hyde,
Jackson,
Janes,
Johnson,
Jones of Waitsfield,
Keese,
Kellogg,
Kidder,
Kinsley,
Lackie,
Ladd of Grand Isle,
Lamb,
Leavenworth,
Lockwood,
Lyon,
Moore,
Morse,
Mott,
Newell,
Noyes,
Paddock,
Park,
Peake,
Perry,
Prentiss,
Richardson,
Robbins,
Roscoe,
Ross,
Russ,
Russell,
Sanford of Castleton,
Sanford of Cornwall,
Shafter,
Sheldon,
Simonds,
Skiff,
Slack,
Smeed,
Smith of Addison,
Smith of Barton,
Sprague,
Stark,
Stoddard,
Towle,
Tracy,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Van Sicklen,
Wardner,
Warner,
Welch,
Wheeler of Reading,
Wheeler of Winhall,
Whipple,
Whitcomb,
White,
Whitelaw,
Wiley,
Winslow,—122.

So it was decided in the negative.

Mr. Gove moved to amend the *fourth* section, which is as follows:

"SEC. 4. The third District includes the Counties of Addison, Chittenden, Franklin and Grand Isle."

By striking out the word "*Addison*" and inserting the words "*Lamoille and Orleans.*"

And on the question, will the House agree to said proposed amendment? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,
Aiken,
Austin,
Bacon,
Bailey of Lemington,
Baker,
Barr,
Barber of Pownal,
Bennett,
Boardman of Hydepark,
Bradley,
Brigham,
Brown of Whitingham,
Bump,
Caldwell of Mendon,
Charlton,
Cobb of Strafford,
Colby,
Colton,
Davis of Norwich,
Douglass of Richmond,
Eager,
Eaton,
Ellsworth,
Flint of Lowell,
French,
Fuller,
Gay,
Glazier,
Gould,
Gove,
Griggs,
Grow,
Harrington,
Hazen,
Henry,
Hill,
Hodgkins,
Holcomb,
Hollister of Marshfield,
Houghton,
Ingalls,
Jewett,
Jones of Dover,
Judson,
Keith,
Kent,
Kibby,
Ladd of Wolcott,
Marshall,
Martindale,
May,
McFarland,
McLoud,
Moon,
Morrill of Canaan,
Morrill of Danville,
Naramore,
Needham,
Niles,
Norris,
Page of Corinth,
Page of Plainfield,
Page of Westminster,
Parker,
Peck,
Perkins,
Pettibone,
Pope,
Powell,
Rice,
Rowell,
Sanborn,
Scott,
Shattuck,
Small,
Smith of Monkton,
Soule,
Stanton,
Taplin,
Taylor,
Turner,
Tyler,
Vilas,
Walker,
Webster of Cabot,
Webster of Colchester,
Wells,
Wheelock,
Whitney,
Wiggins,
Willis,—92.

Those who voted in the negative are, Messrs.

Aldrich,
Ambler,
Atwood,
Ball,
Barber of Enosburgh,
Barber of Mount Holly,
Barden,
Barney,
Barton,
Billings,
Blake,
Bliss,
Boardman of Milton,
Bogue,
Bottum,
Bowe,
Bowman,
Brackett,
Briggs,
Brooks,
Brown of Whiting,
Caldwell of Lincoln,
Canfield,
Carpenter,
Chamberlin,
Clapp,
Clark,
Cobb of Tinmouth,
Cooper,
Cummings,
Cushman,
Daniels,
Davis of Baltimore,
Dewing,
Denison of Hartland,
Dustin,
Eames,
Edmonds,
Ellis,
Emery,
Esty,
Field,
Fish,
Flagg,
Folsom,
Foster of Berlin,
Foster of Tunbridge,
Fox,
Fullerton,
Goodsill,
Graves,

Green,
Guild,
Harris of Windham,
Hartshorn,
Hinds,
Holden,
Hollister of Pawlet,
Howard of Andover,
Howard of Benson,
Howe of Vernon,
Howe of Williamstown,
Hyde,
Jackson,
Janes,
Johnson,
Jones of Waitsfield,
Kellogg,
Kidder,
Kinsley,
Lackie,
Ladd of Grand Isle,
Lamb,
Leavenworth,
Lockwood,
Lyon,
Moore,
Morse,
Mott,
Newell,
Noyes,
Paddock,
Park,
Peake,
Perry,
Prentiss,
Richardson,
Robbins,
Roscoe,
Ross,
Russ,
Russell,
Sanford of Castleton,
Sanford of Cornwall,
Shafter,
Sheldon,
Simonds,
Skiff,
Slack,
Smeed,
Smith of Addison,
Smith of Barton,
Sprague,
Stark,
Stoddard,
Towle,
Tracy,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Van Sicklen,
Wardner,
Warner,
Welch,
Wheeler of Reading,
Wheeler of Winhall,
Whipple,
Whitcomb,
White,
Whitelaw,
Wiley,
Winslow,—121.

So it was decided in the negative.

Mr. Gove moved to amend the *fifth* section, which is as follows:

"Sec. 5. The fourth District is formed of the Counties of Washington, Caledonia, Essex, Orleans and Lamoille."

By erasing the words "*Orleans and Lamoille*" and inserting the word "*Orange.*"

And on the question, will the House agree to said proposed amendment? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,
Austin,
Bacon,
Bailey of Lemington,
Baker,
Barr,
Barber of Pownal,
Bennett,
Boardman of Hydepark,
Bradley,
Brigham,
Brown of Whitingham,
Bump,
Caldwell of Mendon,
Douglass of Richmond,
Eager,
Eaton,
Ellsworth,
Flint of Lowell,
Fuller,
Glazier,
Gould,
Gove,
Griggs,
Grow,
Harrington,
Hazen,
Henry,
Hill,
Hodgkins,
Holcomb,
Hollister of Marshfield,
Houghton,
Ingalls,
Jewett,
Jones of Dover,
Judson,
Keith,
Kent,
Kibby,
Ladd of Wolcott,
Marshall,
Martindale,
May,
McFarland,
McLoud,
Moon,
Morrill of Canaan,
Morrill of Danville,
Naramore,
Needham,
Niles,
Norris,
Page of Corinth,
Page of Plainfield,
Page of Westminster,
Parker,

Peck,
Perkins,
Pettibone,
Pope,
Powell,
Rice,
Rowell,
Sanborn,
Scott,
Shattuck,
Small,
Smith of Monkton,
Soule,
Stanton,
Taplin,
Taylor,
Tyler,
Vilas,
Walker,
Webster of Cabot,
Webster of Colchester,
Wells,
Wheelock,
Whitney,
Wiggins,
Willis,—83.

Those who voted in the negative are, Messrs.

Aiken,
Aldrich,
Ambler,
Atwood,
Ball,
Barber of Enosburgh,
Barber of Mount Holly,
Barden,
Barney,
Barton,
Billings,
Blake,
Bliss,
Boardman of Milton,
Bogue,
Bottum,
Bowe,
Bowman,
Brackett,
Briggs,
Brooks,
Brown of Whiting,
Caldwell of Lincoln,
Canfield,
Carpenter,
Chamberlin,
Charlton,
Clapp,
Clark,
Cobb of Strafford,
Cobb of Tinmouth,
Colby,
Colton,
Cooper,
Cummings,
Cushman,
Daniels,
Davis of Baltimore,
Davis of Norwich,
Dewing,
Denison of Hartland,
Dustin,
Eames,
Edmonds,
Ellis,
Emery,
Esty,
Field,
Flagg,
Folsom,
Foster of Berlin,
Foster of Tunbridge,
Fox,
French,
Fullerton,
Gay,
Goodsill,
Graves,
Green,
Guild,
Harris of Windham,
Hartshorn,
Hinds,
Holden,
Hollister of Pawlet,
Howard of Andover,
Howard of Benson,
Howe of Vernon,
Howe of Williamstown,
Hyde,
Jackson,
Janes,
Johnson,
Jones of Waitsfield,
Keese,
Kellogg,
Kidder,
Kinsley,
Lackie,
Ladd of Grand Isle,
Lamb,
Leavenworth,
Lockwood,
Lyon,
Moore,
Morse,
Mott,
Newell,
Noyes,
Paddock,
Park,
Peake,
Perry,
Prentiss,
Richardson,
Robbins,
Roscoe,
Ross,
Russ,
Russell,
Sanford of Castleton,
Sanford of Cornwall,
Shafter,
Sheldon,
Simonds,
Skiff,
Slack,
Smeed,
Smith of Addison,
Smith of Barton,
Smith of Hinesburgh,
Sprague,
Stark,
Stoddard,
Towle,
Tracy,
Turner,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Van Sicklen,
Wardner,
Warner,
Welch,
Wheeler of Reading,
Wheeler of Winhall,
Whipple,
Whitcomb,
White,
Whitelaw,
Wiley,
Winslow,—131.

So it was decided in the negative.

Mr. Harrington moved that said bill lie on the table, and be made the order of the day for tomorrow afternoon.

And the question being taken was decided in the negative.

Mr. Vilas moved an adjournment; and the question being taken was decided in the negative.

And the question was stated, shall the bill be engrossed and read the third time?

On which question the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Aldrich,	Field,	Paddock,
Ambler,	Fish,	Park,
Atwood,	Flagg,	Peake,
Bailey of Elmore,	Folsom,	Perry,
Ball,	Foster of Berlin,	Prentiss,
Barber of Enosburgh,	Foster of Tunbridge,	Richardson,
Barber of Mount Holly,	Fox,	Robbins,
Barden,	Fullerton,	Roscoe,
Barney,	Goodsill,	Ross,
Barton,	Graves,	Russ,
Billings,	Green,	Russell,
Blake,	Guild,	Sanford of Castleton,
Bliss,	Harris of Windham,	Sanford of Cornwall,
Boardman of Milton,	Hinds,	Shafter,
Bogue,	Holden,	Sheldon,
Bottum,	Hollister of Pawlet,	Simonds,
Bowe,	Howard of Andover,	Skiff,
Briggs,	Howard of Benson,	Slack,
Brooks,	Howe of Vernon,	Smeed,
Brown of Whiting,	Howe of Williamstown,	Smith of Addison,
Caldwell of Lincoln,	Hyde,	Smith of Barton,
Canfield,	Jackson,	Smith of Hinesburgh,
Carpenter,	Janes,	Sprague,
Chamberlin,	Johnson,	Stark,
Clapp,	Jones of Waitsfield,	Stoddard,
Clark,	Keese,	Towle,
Cobb of Tinmouth,	Kellogg,	Tracy,
Cooper,	Kidder,	Tuttle of Sandgate,
Cummings,	Kinsley,	Tuttle of Weathersfield,
Cushman,	Lackie,	Van Sicklen,
Daniels,	Ladd of Grand Isle,	Wardner,
Davis of Baltimore,	Lamb,	Warner,
Dewing,	Leavenworth,	Welch,
Denison of Hartland,	Lockwood,	Wheeler of Reading,
Dustin,	Lyon,	Wheeler of Winhall,
Eames,	Moore,	Whipple,
Edmonds,	Morse,	Whitcomb,
Ellis,	Mott,	Whitelaw,
Emery,	Newell,	Wiley,
Esty,	Noyes,	Winslow,—120.

Those who voted in the negative are, Messrs.

Adams,	Aiken,	Austin,

Bacon,	Gould,	Niles,
Bailey of Lemington,	Gove,	Norris,
Baker,	Griggs,	Page of Corinth,
Barr,	Grow,	Page of Plainfield,
Bennett,	Harrington,	Peck,
Boardman of Hydepark,	Harris of Mansfield,	Perkins,
Bowman,	Hazen,	Pettibone,
Brackett,	Henry,	Pope,
Bradley,	Hill,	Rice,
Brigham,	Hodgkins,	Rowell,
Brown of Whitingham,	Holcomb,	Sanborn,
Bump,	Hollister of Marshfield,	Scott,
Caldwell of Mendon,	Houghton,	Shattuck,
Charlton,	Ingalls,	Small,
Cobb of Strafford,	Jewett,	Smith of Monkton,
Colby,	Jones of Dover,	Soule,
Colton,	Keith,	Stanton,
Davis of Norwich,	Kent,	Taylor,
Douglass of Richmond,	Kibby,	Turner,
Douglass of Waterbury,	Ladd of Wolcott,	Tyler,
Eager,	Marshall,	Vilas,
Eaton,	May,	Walker,
Ellsworth,	McFarland,	Webster of Cabot,
Flint of Braintree,	McLoud,	Webster of Colchester,
Flint of Lowell,	Moon,	Wells,
French,	Morrill of Danville,	Whitney,
Fuller,	Naramore,	Wiggins,
Gay,	Needham,	Willis,—88.
Glazier,		

So it passed in the affirmative; and it was

Ordered, That said bill be read the third time tomorrow morning.

The House adjourned.

AFTERNOON.

On motion of Mr. Wardner, the Committee of Ways and Means was discharged from the further consideration of the following documents:

The Auditor's Abstract of orders drawn on the Treasury.

The Report of the Auditor in the Treasury Department on the School Fund.

The Report of the Auditor in the Treasury Department.

The Report of the Treasurer upon the Safety Fund.

(S. 11.) The bill from the Senate entitled "an act in addition to Chapter 97 of the Revised Statutes" was taken up and passed

On motion of Mr. Daniels, the House proceeded to consider the petition of M. G. Langdon and others, praying for an extension of the time

for paying in the balance of the capital stock of the Bank of Poultney, which, on the 31st ultimo, was ordered to lie on the table; and it was

Ordered, That the petitioners have leave to withdraw their petition.

(H. 80.) On motion of Mr. Daniels, the House took into consideration the bill entitled "an act in relation to the Bank of Montpelier," which was yesterday ordered to lie on the table.

On motion of Mr. Peck, the bill was ordered to lie on the table.

(H. 96.) The House proceeded to consider the bill entitled "an act for ascertaining the opinion of the people of this State relative to an amendment of the Constitution," which was, on the 28th ultimo, ordered to lie on the table.

Said bill was amended, when Mr. Vilas moved to dismiss the said bill.

And the question being taken, it passed in the affirmative.

Mr. Carpenter introduced the following resolution:

Resolved, by the Senate and House of Representatives, That both Houses meet in joint assembly on Friday next, at ten o'clock forenoon, to elect a Bank Inspector and Bank Commissioner for the year ensuing.

Which was read and passed.

(H. 119.) Mr. Baker, on leave introduced a bill entitled "an act relating to the punishment of capital crimes."

Which was read the first time and referred to the Judiciary Committee.

(H. 120.) Mr. Davis of Norwich, on leave, introduced a bill entitled "an act in amendment of an act relating to the reporting of the decisions of the Supreme Court."

Which was read the first time and referred to the General Committee.

(H. 121.) Mr. Cummings, on leave introduced a bill entitled "an act in addition to Chapter 77 of the Revised Statutes."

Which was read the first time and referred to the General Committee.

Mr. Rice introduced the following resolution:

Resolved, That the Judiciary Committee be instructed to inquire into the expediency and necessity of making some alteration in relation to the collection of taxes, so as more explicitly to define the duties of the collector, in reference to the collection of taxes assessed on non-resident lands.

Which was read and passed.

A message from the Senate, by Mr. Clarke, their Secretary:

Mr. Speaker:—The Senate have passed a bill (S. 2) entitled "an act to repeal the 22d section, Chapter 58, of the Revised Statutes," in which they request the concurrence of this House.

(H. 84.) The Senate concur in passing the bill entitled "an act to restore Moses Warner to his legal privileges."

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

Mr. Speaker:—I am directed by his Excellency the Governor to communicate to the House of Representatives, for the use of the General Assembly, a memorial adopted by, and the proceedings of, a Convention of the friends of American Colonization.

The House proceeded to consider the papers communicated in the said message; and the said memorial was read.

On motion of Mr. Cobb of Strafford, said memorial and proceedings were referred to the Committee on Education.

A message, in writing, was received from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs, which was read, as follows:

EXECUTIVE CHAMBER,
Nov. 1, 1842.

I have the honor to inform the House of Representatives that a vacancy has occurred in the first Brigade, and first Division, of the militia of this State, by the resignation and honorable discharge of Brig. Gen. John M. Potter.

CHARLES PAINE.

To the HON. ANDREW TRACY,
Speaker of the House of Representatives.

(S. 2.) The bill from the Senate entitled "an act to repeal the 22d section, Chapter 58, of the Revised Statutes" was read the first time, and referred to the Judiciary Committee.

On motion of Mr. Vilas, a call of the House was ordered.

The roll was called, (excepting such as had been excused from attendance,) and all the members answered to their names, except the following, namely: Messrs. Aldrich, Barney, Boardman of Hydepark, Bottum, Douglass of Waterbury, Ellsworth, Fullerton, Gould, Griggs, Harrington, Hartshorn, Henry, Hollister of Pawlet, Houghton, Kent, May, Pond, Ross, Russ, Shattuck, Warner, Webster of Colchester, Wells.

Further proceedings in the call were dispensed with.

(H. 122.) Mr. Cummings, on leave, introduced a bill entitled "an act in alteration of Chapter 107 of the Revised Statutes, in relation to jurors' fees."

Which was read the first time and referred to the General Committee.

The House proceeded to the consideration of the resolutions, introduced by Mr. Sanborn on the 18th ultimo, and which are as follows:

Resolved, by the Senate and House of Representatives, That our Senators in Congress be instructed, and our Representatives requested, to use their influence and exertions, to pass a law to continue in force, for five years, the act of Congress of 1838, granting pensions to widows of revolutionary officers and soldiers, who were married prior to January, 1794.

Resolved, That the Governor be requested to furnish each of our delegation in Congress with a copy of the above resolution.

And the said resolutions were passed.

(H. 79.) On motion of Mr. Barr, the bill entitled "an act to enable Charles Miller to hold certain land" was taken up, and the said bill was recommitted to the committee reporting the same.

The House adjourned.

WEDNESDAY, NOV. 2, 1842.

Prayer by Rev. Eli Ballou.

Mr. Pettibone introduced the following resolution:

Resolved, That the Auditor of Accounts against the State is hereby di-

rected to allow for the travel and attendance of such witnesses, as the Committee on the State Prison shall certify were necessary to a proper investigation of the business and affairs of the Prison.

Which was read and passed.

Mr. Harrington introduced the following resolution:

Resolved, by the Senate and House of Representatives, That the General Assembly adjourn on Tuesday next, at nine o'clock, A. M., without day.

Which was read, and ordered to lie on the table, on motion of Mr. Wiley.

(H. 123.) Mr. Bailey of Elmore, on leave, introduced a bill entitled "an act to appropriate the general school fund to the purposes of State revenue."

Which was read the first time and referred to the Committee on Education.

(H. 111.) Mr. Canfield, from the Judiciary Committee, to which was referred the bill entitled "an act in addition to an act to incorporate the Bennington County Mutual Fire Insurance Company," reported the same without amendment; and said bill was read the second time.

Ordered, That it be engrossed and read the third time.

Mr. Canfield, from the same Committee, to which was referred the resolution, instructing said Committee to inquire into the expediency of a law in addition to section 16 of Chapter 1 of the Revised Statutes, making it the duty of the constable to certify also if the member elect be holding any office of profit or trust under the General Government, reported that no legislation on the subject is necessary.

(H. 94.) Mr. Canfield, from the same Committee, to which was referred the bill entitled "an act relating to the United States Deposite money," reported the same, with amendments, which were adopted, and the bill was read the second time.

Ordered, That it be engrossed and read the third time tomorrow morning.

Mr. Canfield, from the same Committee, to which was referred the resolution instructing said Committee to inquire into the expediency of repealing section 16 of Chapter 1 of the Revised Statutes, reported that such repeal is inexpedient.

Mr. Vilas, from the same Committee, to which was referred the resolution, instructing said Committee to inquire into the expediency of so explaining the 23d section of Chapter 106 of the Revised Statutes, that the method of taxing costs therein named shall apply to Justice Courts, reported that it is inexpedient to pass any law on the subject.

(H. 77.) Mr. Bottum, from the Committee on Education, to which was referred the bill entitled "an act relating to the United States surplus money deposited with the State," reported the same with amendments; which amendments were disagreed to by the House.

Mr. Kidder moved to dismiss the bill; and the question being taken, it passed in the affirmative.

(H. 70.) Mr. Bottum, from the same Committee, to which was referred the bill entitled "an act in alteration of section 32 of Chapter 18 of the Revised Statutes," reported the same without amendment.

Mr. Gay moved to dismiss said bill; and the question being taken, it passed in the affirmative.

(H. 124.) Mr. Keith, on leave, introduced a bill entitled "an act to pay William Bradford the sum therein mentioned."

Which was read the first time and referred to the Committee of Claims.

(H. 125.) Mr. Woodbridge, on leave, introduced a bill entitled "an act to amend Chapter 29 of the Revised Statutes."

Which was read the first time and referred to the Judiciary Committee.

(H. 115.) The engrossed bill entitled "an act to incorporate the Molly's Brook Turnpike Company," was read the third time.

Mr. Keith moved to dismiss said bill; and the question being taken, it passed in the affirmative.

A message from the Senate, by Mr. Clarke, their Secretary:

Mr. Speaker:—The Senate concur with the House of Representatives in passing bills of the following titles:

(H. 65.) "An act to annex the town of Norton to the county of Essex."

(H. 89.) "An act in addition to an act to incorporate the Windsor County Mutual Fire Insurance Company."

The Senate request the concurrence of this House in passing a resolution for a joint assembly, to fill the vacancy caused by the resignation of Brigadier General John M. Potter.

(H. 15.) The engrossed bill entitled "an act to divide the State into Congressional Districts," was read the third time.

And the question was stated, Shall the bill pass?

On which question the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Aldrich,	Chamberlin,	Graves,
Ambler,	Clapp,	Green,
Atwood,	Clark,	Guild,
Bailey of Elmore,	Cobb of Tinmouth,	Harris of Windham,
Ball,	Cooper,	Hartshorn,
Barber of Enosburgh,	Cummings,	Harwood,
Barber of Mount Holly,	Cushman,	Hinds,
Barden,	Daniels,	Holden,
Barney,	Davis of Baltimore,	Hollister of Pawlet,
Barton,	Dewing,	Howard of Andover,
Billings,	Denison of Hartland,	Howard of Benson,
Blake,	Dustin,	Howe of Vernon,
Bliss,	Eames,	Howe of Williamstown,
Boardman of Milton,	Edmonds,	Hyde,
Bogue,	Ellis,	Jackson,
Bottum,	Emery,	Janes,
Bowe,	Esty,	Johnson,
Bowman,	Field,	Jones of Waitsfield,
Briggs,	Fish,	Keese,
Brooks,	Flagg,	Kellogg,
Brown of Whiting,	Foster of Tunbridge,	Kidder,
Caldwell of Lincoln,	Fox,	Kinsley,
Canfield,	Fullerton,	Lackie,
Carpenter,	Goodsill,	Ladd of Grand Isle,

Lamb,
Leavenworth,
Lockwood,
Lyon,
Moore,
Morse,
Mott,
Newell,
Noyes,
Paddock,
Park,
Peake,
Perry,
Prentiss,
Richardson,
Robbins,
Roscoe,
Ross,
Russ,
Russell,
Sanford of Castleton,
Sanford of Cornwall,
Shafter,
Sheldon,
Simonds,
Skiff,
Slack,
Sneed,
Smith of Addison,
Smith of Barton,
Smith of Hinesburgh,
Spalding,
Sprague,
Stark,
Stoddard,
Towle,
Tracy,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Van Sicklen,
Wardner,
Warner,
Welch,
Wheeler of Reading,
Wheeler of Winhall,
Whipple,
Whitcomb,
White,
Whitelaw,
Wiley,
Winslow,
Woodbridge,—124.

Those who voted in the negative are, Messrs.

Adams,
Aiken,
Austin,
Bacon,
Bailey of Lemington,
Baker,
Barr,
Barber of Pownal,
Bennett,
Boardman of Hydepark,
Brackett,
Bradley,
Brigham,
Brown of Whitingham,
Bump,
Caldwell of Mendon,
Charlton,
Cobb of Strafford,
Colby,
Colton,
Davis of Norwich,
Douglass of Richmond,
Douglass of Waterbury,
Eager,
Eaton,
Ellsworth,
Flint of Braintree,
Flint of Lowell,
Folsom,
French,
Fuller,
Gay,
Glazier,
Gould,
Gove,
Griggs,
Grow,
Harrington,
Harris of Mansfield,
Hazen,
Henry,
Hill,
Hodgkins,
Holcomb,
Hollister of Marshfield,
Houghton,
Ingalls,
Jewett,
Jones of Dover,
Judson,
Kent,
Kibby,
Ladd of Wolcott,
Marshall,
Martindale,
May,
McFarland,
McLoud,
Moon,
Morrill of Canaan,
Morrill of Danville,
Naramore,
Needham,
Niles,
Norris,
Page of Corinth,
Page of Plainfield,
Page of Westminster,
Parker,
Peck,
Perkins,
Pettibone,
Pope,
Powell,
Rice,
Rowell,
Sanborn,
Scott,
Shattuck,
Small,
Smith of Monkton,
Soule,
Stanton,
Taplin,
Taylor,
Turner,
Tyler,
Vilas,
Walker,
Webster of Cabot,
Webster of Colchester,
Wells,
Wheelock,
Whitney,
Wiggins,
Willis,—96.

So it passed in the affirmative.

(S. 20.) The bill fiom the Senate entitled "an act to pay the persons

therein named the sum therein mentioned" was considered, on motion of Mr. Morrill of Danville, and passed.

Mr. Barton introduced the following resolution:

Resolved, That no bill shall be introduced into this House after Friday next, unless reported by a committee.

Which was read, and ordered to lie on the table, on motion of Mr. Harrington.

Mr. Hollister of Marshfield introduced the following resolution:

Resolved, That the General Committee be instructed to inquire into the expediency of repealing the twentieth and twenty-first sections of Chapter 101 of the Revised Statutes.

Which was read and passed.

Mr. Davis of Norwich introduced the following resolution:

Resolved, That the Auditor of Accounts be directed to report to this House the several items of which each of the following orders, contained in his Abstract, are composed, to wit: Nos. 34 for state printing, 55, 60, 86, 91, 102, 108, 110, 112, 130, stating particularly the quantity of each kind of stationery embraced in each order, for what purpose it was furnished, and at what price; also each different kind of state printing, and the price, and by what authority ordered; also under what law the State is required to pay Probate fees, or furnish notarial seals.

Which was read and passed.

(H. 126.) Mr. Colby, on leave, introduced a bill entitled "an act to repeal section 16 of Chapter 1 of the Revised Statutes."

Which was read the first time, and ordered to lie on the table, on motion of Mr. Davis of Norwich.

(H. 127.) Mr. Vilas, from the Judiciary Committee, to which was referred the petition of Araunah Spear and others, praying that the town of Braintree may be remunerated for expenses incurred for the support of Benjamin F. Killam, reported a bill entitled "an act in amendment of Chapter 102 of the Revised Statutes," which was read the first and second time.

Ordered, That said bill be engrossed and read the third time tomorrow morning.

A resolution from the Senate:

Resolved, by the Senate and House of Representatives, That both Houses meet in joint assembly on Friday next, at ten o'clock in the forenoon, for the purpose of filling the vacancy in the first brigade, first division of the militia of this State, occasioned by the resignation of Brig. Gen. John M. Potter.

Which was read and concurred in.

(H. 116.) Mr. Warner, from the Committee on Banks, to which was referred the bill entitled "an act in amendment of an act entitled 'an act to incorporate the President, Directors and Company of the Bank of Poultney,'" reported the same without amendment, and said bill was read the second time.

Ordered, That it be engrossed and read the third time.

The House adjourned.

AFTERNOON.

(H. 128.) Mr. Woodbridge, from the Judiciary Committee, to which was referred the petition of V. Lawrence and others, in relation to landlord and tenant, reported a bill entitled "an act in addition to Chapter 41 of the Revised Statutes."

Which was read the first and second time.

Ordered, That said bill be engrossed and read the third time tomorrow afternoon.

(H. 129.) Mr. Bailey of Lemington, from the Land Tax Committee, to which was referred the petition of Willard Reed and others, praying for a tax on the lands in Bradley Vale, reported a bill entitled "an act laying a tax on the lands in Bradley Vale."

Which was read the first and second time.

Ordered, That said bill be engrossed and read the third time.

(S. 31.) Mr. Prentiss, from the Judiciary Committee, to which was referred the bill from the Senate entitled "an act in relation to actions of scire facias," reported the same without amendment.

Ordered, That said bill be read the third time tomorrow afternoon.

(H. 16.) Mr. Prentiss, from the same Committee, to which was referred the bill entitled "an act in addition to Chapter 102 of the Revised Statutes," reported the same without amendment; and said bill was read the second time.

Ordered, That it be engrossed and read the third time to morrow morning.

(H. 130.) Mr. Canfield, on leave, introduced a bill entitled "an act relating to the election of Representatives to Congress."

Which was read the first time and referred to the General Committee.

(S. 34.) Mr. Woodbridge, from the Judiciary Committee, to which was referred the bill from the Senate entitled "an act defining the 4th and 5th clauses of the 1st section of the 47th Chapter of the Revised Statutes," reported the same without amendment, and said bill was read the second time.

Ordered, That it be read the third time to-morrow afternoon.

Mr. Peake, from the Committee on Education, to which was referred the resolution, instructing said Committee to inquire into the expediency of passing a law regulating the practice of physic and surgery, reported that any legislation on the subject is unnecessary.

Mr Peake, from the same Committee, to which was referred the resolution, instructing said Committee to inquire into the expediency of requiring instructors of common schools to procure certificates of qualification, from persons competent to judge of such qualification, reported that it is inexpedient to legislate upon the subject.

(H. 95.) Mr. Prentiss, from the same Committee, to which was referred the bill entitled "an act in addition to an act entitled 'an act establishing the County Grammar School of the County of Caledonia in the town of

Peacham,' passed October 27, 1795," reported the same without amendment; and said bill was read the second time.

Ordered, That it be engrossed and read the third time.

Mr. Prentiss, from the same Committee, to which was referred the petition of the Trustees of Caledonia County Grammar School, in relation to the location of the academy buildings, reported that the Committee had reported a bill (H. 95) embracing the subject matter of the petition, and that no further action was required thereon; which report was concurred in.

The memorial of Milton Bigelow and others, for an alteration of the militia law, was referred to the Committee on Military Affairs.

The petition of Hugh H. Gilmore and others, and the petition of Stephen Smith and others, each praying for the division of the County of Windsor, and the remonstrance of Bezaleel Wood and others against said division, were severally referred to the members from Windsor County.

The House proceeded to consider the resolutions, introduced by Mr. Vilas on the 31st ultimo, which resolutions are as follows:

Resolved, by the Senate and House of Representatives, That our Senators in Congress be instructed, and our Representatives requested, to exert their endeavors to procure the passage of an act, to refund to General Andrew Jackson, of Tennessee, the amount of a fine or penalty, imposed upon him for official acts performed as the Commander-in-Chief of the military forces of the United States, at New Orleans, in 1815, together with the interest thereon from the time of its payment.

Resolved, That the "invaluable services which have been rendered to our country by this distinguished soldier and statesman, the noble and patriotic motives which led to the performance of the acts for which the penalty was imposed, the imperious necessity that existed for their performance, and the happy consequences they occasioned to the whole country, all prove the gross injustice of longer delaying the performance of this high moral obligation.

Resolved, further, That our Senators in Congress be instructed, and our Representatives requested, to use their best exertions to oppose the payment of a pretended claim of the heirs of the late General Hull, for his pay as an officer after he had traitorously surrendered our army under his command into the hands of the enemy.

Resolved, That the Governor be requested to transmit copies of the foregoing resolutions to each of our Senators and Representatives in Congress.

Mr. Barton moved to dismiss said resolutions.

And on the question, shall the resolutions be dismissed? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Aldrich,	Boardman of Milton,	Canfield,
Ambler,	Bogue,	Chamberlin,
Atwood,	Bottum,	Clapp,
Ball,	Bowe,	Clark,
Barber of Mount Holly,	Bowman,	Cooper,
Barden,	Briggs,	Cummings,
Barton,	Brooks,	Daniels,
Billings,	Brown of Whiting,	Davis of Baltimore,
Blake,	Bump,	Dewing,
Bliss,	Caldwell of Lincoln,	Denison of Hartland,

Dustin,
Eames,
Edmonds,
Ellis,
Emery,
Field,
Fish,
Flagg,
Folsom,
Foster of Tunbridge,
Fullerton,
Goodsill,
Graves,
Green,
Guild,
Harris of Windham,
Hartshorn,
Hinds,
Holden,
Hollister of Pawlet,
Howard of Andover,
Howard of Benson,
Howe of Vernon,
Howe of Williamstown,
Hyde,
Jackson,
Jewett,
Johnson,
Jones of Waitsfield,
Keese,
Kellogg,
Kidder,
Kinsley,
Lackie,
Ladd of Grand Isle,
Lamb,
Leavenworth,
Lockwood,
Lyon,
Moore,
Morse,
Mott,
Newell,
Noyes,
Paddock,
Park,
Peake,
Perry,
Pond,
Prentiss,
Richardson,
Robbins,
Roscoe,
Ross,
Russ,
Russell,
Sanford of Castleton,
Sanford of Cornwall,
Sheldon,
Simonds,
Skiff,
Slack,
Smeed,
Smith of Addison,
Smith of Hinesburgh,
Sprague,
Stark,
Stoddard,
Towle,
Tracy,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Wardner,
Warner,
Welch,
Wheeler of Reading,
Wheeler of Winhall,
Whipple,
Whitcomb,
White,
Whitelaw,
Wiley,
Winslow,
Woodbridge,—114.

Those who voted in the negative are, Messrs.

Adams,
Aiken,
Bacon,
Bailey of Elmore,
Baker,
Barr,
Barber of Pownal,
Barney,
Bennett,
Boardman of Hydepark,
Brackett,
Bradley,
Brigham,
Brown of Whitingham,
Caldwell of Mendon,
Charlton,
Cobb of Strafford,
Colby,
Colton,
Davis of Norwich,
Douglass of Richmond,
Douglass of Waterbury,
Eager,
Eaton,
Ellsworth,
Flint of Braintree,
Flint of Lowell,
Fox,
French,
Fuller,
Gay,
Glazier,
Gould,
Gove,
Griggs,
Grow,
Harris of Mansfield,
Harwood,
Hazen,
Henry,
Hill,
Hodgkins,
Holcomb,
Hollister of Marshfield,
Houghton,
Ingalls,
Judson,
Keith,
Kent,
Kibby,
Ladd of Wolcott,
Marshall,
Martindale,
May,
McFarland,
McLoud,
Moon,
Morrill of Canaan,
Morrill of Danville,
Naramore,
Needham,
Niles,
Norris,
Page of Corinth,
Page of Plainfield,
Page of Westminster,
Peck,
Perkins,
Pope,
Powell,
Rice,
Rowell,

Sanborn,	Stanton,	Webster of Cabot,
Scott,	Taplin,	Webster of Colchester,
Shattuck,	Taylor,	Wells,
Small,	Turner,	Whitney,
Smith of Monkton,	Tyler,	Wiggins,
Soule,	Vilas,	Willis,—92.
Spalding,	Walker,	

So it passed in the affirmative.

(H. 72.) Mr. Woodbridge, from the Judiciary Committee, to which was referred the bill entitled "an act in addition to Chapter 41 of the Revised Statutes," reported that said bill ought not to pass.

Mr. McLoud moved to dismiss said bill.

And the question being taken, it passed in the affirmative.

(H. 10.) The House considered the bill entitled "an act in amendment of Chapter 107 of the Revised Statutes," which, on Saturday last, was ordered to lie on the table; and the same was amended, on motion of Mr. Rice.

Ordered, That said bill lie on the table.

A message from the Senate, by Mr. Clarke, their Secretary:

Mr. Speaker:—The Senate have passed the bill from the House of Representatives (H. 86) entitled "an act to amend section 11 of Chapter 16 of the Revised Statutes," with proposals of amendment, in which they request the concurrence of the House.

(H. 80.) The bill entitled "an act in relation to the Bank of Montpelier" was taken up, on motion of Mr. Peck.

Mr. Fox moved to dismiss said bill.

And the question being taken was decided in the negative.

Said bill was amended, on motion of Mr. Peck.

And the question was stated, shall the bill be read the second time?

On which question the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Aiken,	Field,	Peck,
Bacon,	Flint of Braintree,	Pettibone,
Bailey of Elmore,	Flint of Lowell,	Pope,
Ball,	Fullerton,	Prentiss,
Blake,	Griggs,	Robbins,
Boardman of Hydepark,	Harrington,	Russ,
Bowe,	Hollister of Marshfield,	Sanborn,
Brigham,	Jones of Waitsfield,	Scott,
Canfield,	Keith,	Shattuck,
Clark,	Kent,	Sheldon,
Colby,	Ladd of Grand Isle,	Small,
Cummings,	Lyon,	Soule,
Denison of Hartland,	McLoud,	Spalding,
Douglass of Waterbury,	Morrill of Danville,	Stoddard,
Eames,	Morse,	Turner,
Eaton,	Noyes,	Tuttle of Weathersfield,
Ellis,	Paddock,	Vilas,
Ellsworth,	Page of Plainfield,	Willis,—56.
Esty,	Parker,	

Those who voted in the negative are, Messrs.

Adams,
Aldrich,
Ambler,
Atwood,
Austin,
Bailey of Lemington,
Baker,
Barr,
Barber of Mount Holly,
Barber of Pownal,
Barney,
Barton,
Bennett,
Billings,
Bliss,
Bogue,
Bottum,
Bowman,
Brackett,
Bradley,
Briggs,
Brooks,
Brown of Whiting,
Brown of Whitingham,
Bump,
Caldwell of Lincoln,
Caldwell of Mendon,
Carpenter,
Chamberlin,
Charlton,
Clapp,
Cobb of Strafford,
Cobb of Tinmouth,
Colton,
Cooper,
Daniels,
Davis of Baltimore,
Davis of Norwich,
Dewing,
Douglass of Richmond,
Dustin,
Eager,
Edmonds,
Emery,
Fish,
Flagg,
Folsom,
Foster of Tunbridge,
Fox,
French,
Fuller,
Gay,
Glazier,
Goodsill,
Gould,
Gove,
Graves,
Green,
Grow,
Guild,
Harris of Mansfield,
Harris of Windham,
Hartshorn,
Harwood,
Hazen,
Henry,
Hill,
Hinds,
Holcomb,
Holden,
Hollister of Pawlet,
Houghton,
Howard of Andover,
Howe of Vernon,
Howe of Williamstown,
Hyde,
Ingalls,
Jackson,
Janes,
Jewett,
Johnson,
Judson,
Keese,
Kellogg,
Kibby,
Kidder,
Kinsley,
Lackie,
Ladd of Wolcott,
Lamb,
Lockwood,
Marshall,
Martindale,
May,
McFarland,
Moore,
Morrill of Canaan,
Mott,
Needham,
Newell,
Niles,
Norris,
Page of Corinth,
Page of Westminster,
Park,
Peake,
Perry,
Powell,
Rice,
Richardson,
Roscoe,
Ross,
Rowell,
Russell,
Sanford of Castleton,
Sanford of Cornwall,
Simonds,
Skiff,
Slack,
Smeed,
Smith of Addison,
Smith of Hinesburgh,
Smith of Monkton,
Sprague,
Stanton,
Stark,
Taplin,
Taylor,
Towle,
Tracy,
Tuttle of Sandgate,
Tyler,
Walker,
Wardner,
Warner,
Welch,
Wells,
Wheeler of Reading
Wheeler of Winhall,
Whipple,
Whitcomb,
White,
Whitelaw,
Whitney,
Wiggins,
Wiley,
Winslow,
Woodbridge,—148.

So it was decided in the negative; and said bill was rejected.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—The Senate concur with the House of Representatives in passing the resolution for a joint assembly to elect a Bank Commissioner and a Bank Inspector.

(H. 108.) The Senate concur in passing the bill entitled "an act to amend section 6 of Chapter 83 of the Revised Statutes," with proposals of amendment, in which they request the concurrence of this House.

(H. 131.) Mr. Peck, on leave, introduced a bill entitled "an act to amend 'an act to incorporate the President, Directors and Company of the Bank of Montpelier.'"

Which was read the first time and referred to the Committee on Banks.

Mr. Harrington introduced the following resolutions:

Resolved, by the Senate and House of Representatives, That our sympathies and aid, as citizens and legislators, are eminently due to that unfortunate class of our fellow beings who are cut off from the blessings of hearing and speech.

Resolved, That this Legislature regard with peculiar interest the Institution for the education of the Deaf and Dumb at Hartford, Connecticut, inasmuch as it is partly endowed by this State with a fund for the relief of our own citizens.

Resolved, therefore, That Mr. Lewis Weld, the Principal of the American Asylum for the Deaf and Dumb at Hartford, Conn., be invited to appear before the two Houses, in the Hall of Representatives, with his pupils, tomorrow afternoon at 2 1-2 o'clock, and make such exhibition of their progress and improvement as he may deem proper.

Which were read and passed.

Mr. Pope introduced the following resolution:

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of so altering the militia law, as that no person under the age of twenty-one years shall be subject to do military duty.

Which was read.

Mr. Harrington moved to dismiss said resolution.

And the question being taken, it passed in the affirmative.

(H. 132.) Mr. Prentiss, on leave, introduced a bill entitled "an act relating to Banks."

Which was read the first time and referred to the Committee on Banks.

Mr. Fullerton, from the Committee on Bills, reported that said Committee had this day presented to the Governor, for his approbation and signature, bills of the following titles, namely:

(S. 11.) "An act in addition to Chapter 97 of the Revised Statutes."

(H. 52.) "An act in addition to Chapter 18 of the Revised Statutes."

(H. 76.) "An act in amendment of 'an act laying a tax on the lands in Newark,' approved November 11, 1841."

(H. 98.) "An act laying a tax on the lands in Wenlock."

The House adjourned.

THURSDAY, NOV. 3, 1842.

Prayer by Rev. Zebina Young.

(H. 86.) The House proceeded to consider the bill entitled "an act to amend section 11 of Chapter 16 of the Revised Statutes," which had passed the House and been returned from the Senate with proposals of amendment.

The Senate proposed to amend the title of said bill so as to read as follows: "*An act to amend section* 11 *of Chapter* 16 *of the Revised Statutes, relating to the support and removal of paupers;*" which amendment was agreed to by the House.

The further proposed amendments were also agreed to by the House.

(H. 108.) The House considered the bill entitled "an act to amend section 6 of Chapter 83 of the Revised Statutes," which had passed the House and been returned from the Senate with proposals of amendment.

The first amendment proposed by the Senate was, to amend the title of said bill to read, "*an act in alteration of section* 6 *of Chapter* 83 *of the Revised Statutes;*" which amendment was concurred in.

The other amendments proposed were concurred in.

On motion of Mr. Hyde, the resolution, introduced yesterday by Mr. Harrington, for an adjournment of the General Assembly, was considered.

Said resolution was amended to read as follows:

Resolved, by the Senate and House of Representatives, That the General Assembly adjourn on Wednesday morning, at six o'clock, A. M., without day.

On motion of Mr. Van Sicklen, said resolution was ordered to lie on the table.

Mr. Jones of Waitsfield, from the Committee of Agriculture, to which was referred the resolution, instructing said Committee to inquire into the expediency of passing a bill for the encouragement of the growth of wheat, by a bounty per bushel to the grower of the same, reported that it is inexpedient to legislate upon the subject at the present time.

(H. 104.) Mr. Jones of Waitsfield, from the same Committee, to which was referred the bill entitled "an act to alter section 16 of Chapter 88 of the Revised Statutes," reported that said bill ought not to pass.

Which report was concurred in, and said bill was dismissed.

A message from the Senate, by Mr Clarke, their Secretary:

MR. SPEAKER:—The Senate concur in passing the resolutions relative to the Deaf and Dumb, and to a meeting of the two Houses to witness the exhibition of pupils of the American Asylum for the Deaf and Dumb at Hartford, Connecticut, by Mr. Lewis Weld, Principal of said Institution.

Engrossed bills of the following titles were severally read the third time and passed, namely:

(H. 116.) "An act in amendment of an act entitled 'an act to incorporate the President, Directors and Company of the Bank of Poultney.'"

(H. 111.) "An act in addition to an act to incorporate the Bennington County Mutual Fire Insurance Company."

(H. 16.) "An act in addition to Chapter 102 of the Revised Statutes."

(H. 127.) "An act in amendment of Chapter 102 of the Revised Statutes."

(H. 129.) "An act laying a tax on the lands in Bradley Vale."

(H. 94.) "An act relating to the United States deposit money."

(H. 95.) "An act in addition to 'an act establishing the County Grammar School of the County of Caledonia in the town of Peacham,' passed Octo. 27, 1795."

(H. 62.) Mr. Jones of Waitsfield, from the Committee on Agriculture, to which was referred the bill entitled "an act to encourage the raising of wheat," reported that said bill ought not to pass.

Mr. Rice moved to dismiss said bill.

And on the question, shall the bill be dismissed? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,	Edmonds,	Mott,
Aldrich,	Ellis,	Naramore,
Atwood,	Ellsworth,	Needham,
Austin,	Field,	Newell,
Bacon,	Fish,	Norris,
Bailey of Elmore,	Flagg,	Noyes,
Ball,	Foster of Tunbridge,	Paddock,
Barr,	Fuller,	Page of Westminster,
Barber of Mount Holly,	Fullerton,	Park,
Barber of Pownal,	Glazier,	Parker,
Barden,	Goodsill,	Peake,
Barton,	Gove,	Perry,
Blake,	Green,	Pettibone,
Bliss,	Guild,	Powell,
Boardman of Milton,	Harrington,	Rice,
Bottum,	Harris of Windham,	Richardson,
Bowe,	Hartshorn,	Robbins,
Briggs,	Henry,	Roscoe,
Brigham,	Hill,	Ross,
Brooks,	Holcomb,	Russ,
Brown of Whiting,	Holden,	Sanborn,
Brown of Whitingham,	Hollister of Pawlet,	Sanford of Castleton,
Caldwell of Lincoln,	Houghton,	Scott,
Canfield,	Howard of Andover,	Sheldon,
Chamberlin,	Howe of Vernon,	Skiff,
Clapp,	Howe of Williamstown,	Slack,
Clark,	Hyde,	Smeed,
Cobb of Strafford,	Jewett,	Smith of Addison,
Cobb of Tinmouth,	Johnson,	Smith of Barton,
Colby,	Jones of Waitsfield,	Smith of Monkton,
Cooper,	Judson,	Soule,
Cummings,	Keith,	Sprague,
Cushman,	Kellogg,	Stark,
Davis of Baltimore,	Kent,	Taplin,
Dewing,	Ladd of Grand Isle,	Towle,
Douglass of Richmond,	Leavenworth,	Turner,
Douglass of Waterbury,	Lockwood,	Tuttle of Sandgate,
Dustin,	Lyon,	Tuttle of Weathersfield,
Eager,	Marshall,	Tyler,
Eames,	Martindale,	Van Sicklen,
Eaton,	May,	Warner,

Webster of Colchester,	Wheelock,	Whitney,
Welch,	Whipple,	Wiley,
Wheeler of Reading	Whitcomb,	Woodbridge,—134.
Wheeler of Winhall,	Whitelaw,	

Those who voted in the negative are, Messrs.

Aiken,	Gould,	Page of Plainfield,
Ambler,	Graves,	Peck,
Bailey of Lemington,	Griggs,	Perkins,
Baker,	Grow,	Pope,
Bennett,	Harris of Mansfield,	Prentiss,
Billings,	Harwood,	Rowell,
Bogue,	Hazen,	Russell,
Bowman,	Hinds,	Sanford of Cornwall,
Brackett,	Hodgkins,	Shattuck,
Bradley,	Hollister of Marshfield,	Simonds,
Bump,	Howard of Benson,	Small,
Caldwell of Mendon,	Ingalls,	Smith of Hinesburgh,
Carpenter,	Jackson,	Spalding,
Charlton,	Kibby,	Stanton,
Colton,	Kidder,	Stoddard,
Daniels,	Kinsley,	Taylor,
Davis of Norwich,	Lackie,	Tracy,
Denison of Hartland,	Ladd of Wolcott,	Vilas,
Emery,	Lamb,	Walker,
Esty,	McFarland,	Wardner,
Flint of Braintree,	Moore,	Webster of Cabot,
Flint of Lowell,	Morrill of Canaan,	Wells,
Folsom,	Morrill of Danville,	White,
Fox,	Morse,	Wiggins,
French,	Niles,	Willis,
Gay,	Page of Corinth,	Winslow,—78.

So it passed in the affirmative.

Mr. Sanborn introduced the following resolution:

Resolved, That the Committee on Agriculture be instructed to inquire into the expediency of offering a reward of dollars, to be paid out of the Treasury of this State, for the best dissertation or essay upon the growth and culture of wheat.

Which was read and passed.

(H. 122.) Mr. Bailey of Elmore, from the General Committee, to which was referred the bill entitled "an act in alteration of Chapter 107 of the Revised Statutes, in relation to juror's fees," reported the same with amendments, which were adopted, and said bill was read the second time.

Ordered, That it be engrossed and read the third time to-morrow morning.

A message from the Senate, by Mr. Clarke, their Secretary:

Mr. Speaker:—The Senate have passed a resolution relative to the claims of Vermont upon the General Government, in which they request the concurrence of the House of Representatives.

(H. 57.) Mr. Bailey of Elmore, from the General Committee, to which was referred the bill entitled "an act to repeal Chapter 110 of the Revised Statutes," reported that the said bill ought not to pass.

Mr. Harris of Windham moved to dismiss said bill; and the question being taken, it passed in the affirmative.

(H. 114.) Mr. Bailey of Elmore, from the same Committee, to which was referred the bill entitled "an act to define section 14 of Chapter 1 of the Revised Statutes," reported that the said bill ought not to pass.

Mr. Henry moved to dismiss said bill; and the question being taken, it passed in the affirmative.

(H. 33.) Mr. Bailey of Elmore, from the same Committee, to which was referred the bill entitled "an act in amendment of Chapter 104 of the Revised Statutes," reported that said bill ought not to pass.

On motion of Mr. Davis of Norwich,

Ordered, That said bill lie on the table.

(H. 90.) Mr. Bailey of Elmore, from the same Committee, to which was referred the bill entitled "an act to alter the name of Elvira Patterson and make her heir at law of Osee F. and Huldah Allen," reported the same without amendment, and said bill was read the second time.

Ordered, That it be engrossed and read the third time.

A resolution from the Senate:

Resolved, by the Senate and House of Representatives of the State of Vermont, That his Excellency the Governor be instructed to make application to the Congress of the United States, at their next session, for a remuneration of the sum of ten hundred and ninety-four dollars and nine cents, being the amount expended by this State in defending our frontier towns in the late border difficulties with Canada.

Which was read and concurred in.

(H. 106.) On motion of Mr. Warner, the bill entitled "an act in amendment of an act laying a tax on the lands in Avery's Gore in Addison County," which was reported by the Land Tax Committee on the 29th ultimo, was recommitted to said Committee.

(H. 133.) Mr. Field, on leave, introduced a bill entitled "an act in relation to the laying out of roads."

Which was read the first time and referred to the Committee on Roads.

(H. 134.) Mr. Towle, on leave, introduced a bill entitled "an act to continue in force, and in amendment of 'an act laying a tax on the lands in Goshen.'"

Which was read the first time and referred to the Land Tax Committee.

(H. 135.) Mr. Webster of Colchester, on leave, introduced a bill entitled "an act in amendment of section 32 of Chapter 18 of the Revised Statutes."

Which was read the first time and referred to the Committee on Education.

(H. 136.) Mr. Wardner, on leave, introduced a bill entitled "an act relating to paupers."

Which was read the first time and referred to the Judiciary Committee.

Mr. Harris of Windham introduced the following resolution:

Resolved, by the Senate and House of Representatives, That the Librarian be directed to deliver to the representative of each town in this State

one copy of the 13th volume of the Vermont Reports, for the use of said town, and take his receipt therefor.

Which was read and passed.

(H. 137.) Mr. Stark, on leave, introduced a bill entitled "an act to repeal so much of Chapter 83 of the Revised Statutes as relates to licences for retailing spiritous liquors."

Which was read the first time and referred to the General Committee.

Mr. Douglass of Waterbury introduced the following resolution:

Resolved, That the Committee on Education be instructed to inquire into the expediency of passing a law, organizing the several school committees in each town in this State into a board of education for said town, requiring them to meet semi-annually or oftener, with power of making small appropriations from their general funds, to purchase books for the the children of destitute parents; and requiring each school committee in the several districts to visit, at least once a month, the school in his district, examine its condition, progress and wants, and report the result to the general meeting of the board.

Which was read and passed.

On motion of Mr. Baker, the House proceeded to consider the report of the committee, appointed by a resolution to inquire whether any persons, holding offices of trust or profit under the General Government, are also holding offices of trust or profit under this State, as stated on the journal of the 24th ultimo.

And the question recurred on the resolution reported by said Committee, which is as follows:

Resolved, by the Senate and House of Representatives, That Henry Stowell, Post Master of Cambridge, was not constitutionally eligible to the office of Commissioner of the Deaf and Dumb and the Blind, at the time of his last election, and has had no right to perform the duties of such Commissioner the past year.

Mr. Canfield moved to dismiss said resolution:

And on the question, shall the resolution be dismissed? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Aldrich,	Canfield,	Guild,
Atwood,	Clapp,	Harris of Windham,
Bailey of Elmore,	Clark,	Hartshorn,
Ball,	Cummings,	Harwood,
Barber of Enosburgh,	Daniels,	Hinds,
Barber of Mount Holly,	Davis of Baltimore,	Howard of Andover,
Barney,	Dewing,	Howard of Benson,
Barton,	Dustin,	Howe of Williamstown,
Bliss,	Edmonds,	Hyde,
Boardman of Hydepark,	Ellis,	Jackson,
Boardman of Milton,	Esty,	Jones of Waitsfield,
Bogue,	Field,	Keese,
Bottum,	Flagg,	Kellogg,
Bowe,	Foster of Berlin,	Leavenworth,
Brooks,	Foster of Tunbridge,	Lockwood,
Brown of Whiting,	Fox,	Lyon,
Bump,	Fullerton,	Morse,
Caldwell of Lincoln,	Graves,	Mott,

Noyes,
Paddock,
Perry,
Richardson,
Robbins,
Roscoe,
Russ,
Russell,
Sanford of Castleton,
Simonds,
Skiff,
Slack,
Smeed,
Smith of Addison,
Smith of Barton,
Smith of Hinesburgh,
Stoddard,
Tracy,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Van Sicklen,
Wardner,
Welch,
Wheeler of Reading,
Whipple,
White,
Wiley,
Woodbridge,—82.

Those who voted in the negative are, Messrs.

Adams,
Aiken,
Ambler,
Austin,
Bacon,
Bailey of Lemington,
Baker,
Barr,
Barber of Pownal,
Barden,
Bennett,
Billings,
Blake,
Bowman,
Brackett,
Bradley,
Brigham,
Brown of Whitingham,
Caldwell of Mendon,
Carpenter,
Chamberlin,
Charlton,
Cobb of Timmouth,
Colby,
Colton,
Cushman,
Davis of Norwich,
Denison of Hartland,
Douglass of Richmond,
Douglass of Waterbury,
Eager,
Eames,
Eaton,
Ellsworth,
Emery,
Fish,
Flint of Braintree,
Flint of Lowell,
Folsom,
French,
Fuller,
Gay,
Glazier,
Gould,
Green,
Griggs,
Grow,
Harris of Mansfield,
Hazen,
Henry,
Hill,
Hodgkins,
Holcomb,
Holden,
Hollister of Marshfield,
Hollister of Pawlet,
Howe of Vernon,
Ingalls,
Janes,
Jewett,
Johnson,
Judson,
Keith,
Kent,
Kibby,
Kidder,
Kinsley,
Lackie,
Ladd of Grand Isle,
Ladd of Wolcott,
Lamb,
Marshall,
Martindale,
May,
McFarland,
McLoud,
Moon,
Moore,
Morrill of Canaan,
Morrill of Danville,
Naramore,
Needham,
Newell,
Niles,
Norris,
Page of Corinth,
Page of Plainfield,
Page of Westminster,
Park,
Peake,
Peck,
Perkins,
Pettibone,
Pope,
Powell,
Rice,
Ross,
Rowell,
Sanford of Cornwall,
Scott,
Shattuck,
Sheldon,
Small,
Smith of Monkton,
Soule,
Spalding,
Sprague,
Stanton,
Stark,
Taplin,
Taylor,
Towle,
Turner,
Tyler,
Vilas,
Walker,
Webster of Cabot,
Webster of Colchester,
Wells,
Wheeler of Winhall,
Wheelock,
Whitcomb,
Whitelaw,
Whitney,
Wiggins,
Willis,
Winslow,—127.

So it was decided in the negative.

And the question was stated, shall the resolution pass? and being taken, was decided in the affirmative.

Mr. Turner introduced the following resolution:

Resolved, That the Committee on Education be directed to inquire into the expediency of authorizing the several towns in this State to divide the unimproved real estate, equally, amongst the several school districts, for the purpose of taxation.

Which was read; and on the question being put, the House refused the passage of said resolution.

(H. 138.) Mr. Keith, on leave, introduced a bill entitled "an act regulating fees."

Which was read the first time and referred to the General Committee.

On motion of Mr. Barton, the resolution, introduced by him yesterday, limiting the time for the introduction of bills, was considered; and the said resolution was amended, and ordered to lie on the table.

(H. 36.) Mr. Cobb of Strafford, from the Committee on Banks, to which was referred the bill entitled "an act to incorporate the Orange County Bank," reported the same without amendment, and said bill was read the first and second time.

Ordered, That it be engrossed and read the third time.

(H, 139.) Mr. Wells, on leave, introduced a bill entitled "an act relative to the fees of jurors in suits before Justices of the Peace."

Which was read the first time and referred to the General Committee.

Mr. Rice introduced the following resolution:

Resolved, That the Committee on Education be instructed to inquire into the expediency of providing by law, for an equal distribution of all money accruing from any tax for the support of schools, on non-resident lands in any town, among the several school districts in such town, without reference to scholars.

Which was read and passed.

The House adjourned.

AFTERNOON.

Mr. Fullerton, from the Committee on Bills, reported that said Committee had this day presented to the Governor, for his approbation and signature, the following entitled bills, namely:

(H. 65.) "An act to annex the town of Norton to the County of Essex."

(H. 84.) "An act to restore Moses Warner to his legal privileges."

(H. 89.) An act in addition to an act to incorporate the Windsor County Mutual Fire Insurance Company."

(H. 140.) Mr. Ellis, on leave, introduced a bill entitled "an act to pay

the Administrator of George W. Ellis' Estate the sum therein mentioned."

Which was read the first time and referred to the Committee on the State Prison.

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

MR. SPEAKER:—His Excellency the Governor has this day approved and signed the following bills:

(H. 52.) "An act in addition to Chapter 18 of the Revised Statutes."

(H. 65.) "An act to annex the town of Norton to the County of Essex."

(H. 76.) "An act in amendment of 'an act laying a tax on the lands in Newark,' approved November 11, 1841."

(H. 84.) "An act to restore Moses Warner to his legal privileges."

(H. 89.) "An act in addition to an act to incorporate the Windsor County Mutual Fire Insurance Company."

(H. 98.) "An act laying a tax on the lands in Wenlock."

(H. 128.) The engrossed bill entitled "an act in addition to Chapter 41 of the Revised Statutes" was read the third time and passed.

(H. 141.) Mr. Moore, on leave, introduced a bill entitled "an act annexing a part of the town of Orleans to the town of Newport."

Which was read the first time and referred to the members from Orleans County.

Bills from the Senate of the following titles were read the third time, and passed in concurrence, namely:

(S. 31.) "An act in relation to actions of scire facias."

(S. 34.) "An act defining the 4th and 5th clauses of the 1st section of the 47th Chapter of the Revised Statutes."

The petition of George W. Stickney and others, and the petition of Samuel Blodgett and others, each praying for the division of Windsor County, were referred to the members from the County of Windsor.

The petition of S. Lane and others was referred to the members from the County of Orleans.

(H. 142.) Mr. Canfield, from the select committee to which was referred the report of the Committee, appointed at the last session of the Legislature, to investigate the affairs of the Bank of Essex County, reported a bill entitled "an act in addition to Chapter 80 of the Revised Statutes," which was read the first and second time.

On motion of Mr. Vilas,

Ordered, That said bill lie on the table, and be made the order of the day for tomorrow afternoon.

Mr. Holden introduced the following resolution:

Resolved, That the General Committee be instructed to inquire into the the expediency of so amending the 21st Chapter, and 23d section, of the Revised Statutes, that surveyors of highways hereafter shall be required to make their returns on or before the 15th of April in each year, in lieu of the month of April.

Which was read and passed.

Mr. Pond, on his request, was excused from acting on the Committee to make up the Grand List, and Mr. Keese was appointed in his place.

(H. 118.) On motion of Mr. Wardner, the bill entitled "an act to incorporate the Ascutney Bank" was taken into consideration.

Mr. Davis of Norwich moved to dismiss said bill;

When

The House adjourned.

FRIDAY, Nov. 4, 1842.

Prayer by Rev. Sherman Kellogg.

(H. 143) Mr. Davis of Norwich, on leave, introduced a bill entitled "an act fixing the salary of the Secretary of Civil and Military Affairs."

Which was read the first time and referred to the General Committee.

(H. 79.) (H. 144.) Mr. Barr, from the select committee, to which was was referred the bill (H. 79) entitled "an act to enable Charles Miller to hold certain land," reported as a substitute therefor a bill (H. 144) entitled "an act to enable Charles Miller to convey certain land," which said bill (H. 144) was adopted as a substitute for the bill (H. 79) referred to said committee, and read the first time.

Mr. Cobb of Strafford moved to dismiss said bill; and the question being taken was decided in the negative.

And the question was stated, shall the bill be read the second time? and being taken, was decided in the negative.

(H. 81.) Mr. Sprague, from the Committee on Roads, to which was referred the bill entitled "an act in addition to Chapter 21 of the Revised Statutes," reported that said bill ought not to pass.

Mr. Cobb of Strafford moved to dismiss said bill; and the question being taken, it passed in the affirmative.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—The Senate have passed the bill from the House of Representatives (H. 6) entitled "an act in addition to Chapter 29 of the Revised Statutes," with proposals of amendment, in which they ask the concurrence of the House of Representatives.

(S. 47.) The Senate have passed a bill entitled "an act laying a tax on the County of Chittenden," in which they request the concurrence of this House.

Mr. Shafter, from the Committee on the State Prison, to which were referred the report of the Directors of the State Prison, and the report of the Superintendent of said Prison, and the papers accompanying the same, submitted a written report, which was read.

On motion of Mr. Vilas,

Ordered, That said report lie on the table.

The Speaker laid before the House a communication from the Treasurer, which was read as follows:

TREASURER'S OFFICE,
Montpelier, Nov. 4, 1842.

Hon. A. TRACY,
Speaker of the House of Representatives.

DEAR SIR,

I deem it my duty to inform you that I have not received a bond from the Superintendent of the Vermont State Prison, as required by law, the past year.

Very respectfully yours,
JOHN SPALDING, Treasurer.

(H. 145.) Mr. Rice, from the Committee to make up the Grand List, to which was referred the resolution, directing said Committee to take into consideration the present listing law, and report amendments thereto, if, the opinion of such Committee, any amendments are required, reported a bill entitled "an act in addition to, and in alteration of, 'an act relating to the Grand List,' approved November 11, 1841," which was read the first time.

Ordered, That said bill lie on the table, and be made the order of the day for tomorrow morning; and that three hundred copies thereof be printed for the use of the House.

(H. 132.) Mr. Warner, from the Committee on Banks, to which was referred the bill entitled "an act relating to Banks," reported the same without amendment, and said bill was read the second time.

Ordered, That it be engrossed and read the third time tomorrow morning.

(H. 73.) Mr. Rice, from the majority of the Committee to make up the Grand List, to which was referred the bill entitled "an act to repeal 'an act relating to the Grand List,' approved November 11, 1841," reported that said bill ought not to pass.

Mr. Harwood, from the minority of said Committee, submitted a report in favor of the passage of said bill with amendments.

On motion of Mr. Prentiss,

Ordered, That said bill lie on the table, and be made the order of the day for Monday afternoon next.

(H. 6.) The House proceeded to consider the amendments proposed by the Senate to the bill which had passed the House, entitled "an act in addition to Chapter 29 of the Revised Statutes."

And pending the question on concurrence with the Senate in the same, The House adjourned.

AFTERNOON.

(H. 6.) The House resumed the consideration of the bill entitled "an act in addition to Chapter 29 of the Revised Statutes," which had passed the House, and been returned from the Senate with proposals of amendment.

On motion of Mr. Vilas,

Ordered, That said bill and amendments lie on the table.

Mr. Shafter, from the Committee on the State Prison, asked that the House would discharge said Committee from the further consideration of the petition of the town of Burlington.

And the question being taken, it was decided in the negative.

The House adjourned.

SATURDAY, Nov. 5, 1842.

Prayer by Rev. E. J. Scott.

On motion of Mr. Shafter, the Committee of Elections was discharged from the further consideration of the resolution, instructing said Committee to inquire whether any persons, holding offices of trust or profit under the authority of Congress, are holding seats as members of this House.

(S. 47.) The bill from the Senate entitled "an act laying a tax on the County of Chittenden" was read the first time, and referred to the members from the County of Chittenden, on motion of Mr. Parker.

(H. 132.) The engrossed bill entitled "an act relating to Banks" was read the third time.

On motion of Mr. Vilas,

Ordered, That said bill lie on the table, and be made the order of the day for Tuesday morning next.

On motion of Mr. Houghton, the House proceeded to consider the resolution, providing for an adjournment of the General Assembly on Wednesday morning next, which had been ordered to lie on the table.

Mr. Noyes moved to dismiss said resolution.

And on the question, shall the resolution be dismissed? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Aiken,	Bliss,	Colton,
Aldrich,	Bogue,	Cummings,
Ambler,	Bowe,	Cushman,
Bailey of Elmore,	Briggs,	Daniels,
Bailey of Lemington,	Brigham,	Davis of Baltimore,
Ball,	Brooks,	Dewing,
Barr,	Bump,	Douglass of Richmond,
Barber of Enosburgh,	Caldwell of Lincoln,	Douglass of Waterbury,
Barber of Mount Holly,	Caldwell of Mendon,	Eames,
Barden,	Carpenter,	Esty,
Barney,	Chamberlin,	Flagg,
Bennett,	Charlton,	Folsom,
Blake,	Clapp,	Foster of Berlin,

Foster of Tunbridge,
Gould,
Green,
Griggs,
Guild,
Harrington,
Hazen,
Hill,
Hinds,
Hodgkins,
Holden,
Hollister of Marshfield,
Hollister of Pawlet,
Howard of Benson,
Jones of Dover,
Jones of Waitsfield,
Keese,
Kellogg,
Kent,
Kinsley,
Ladd of Wolcott,
Lamb,
Leavenworth,
Lockwood,
Marshall,
McLoud,
Moore,
Morrill of Canaan,
Morse,
Needham,
Norris,
Noyes,
Paddock,
Page of Corinth,
Parker,
Peake,
Rice,
Robbins,
Russell,
Sanford of Castleton,
Sanford of Cornwall,
Shafter,
Simonds,
Slack,
Spalding,
Stark,
Taplin,
Taylor,
Turner,
Tuttle of Weathersfield,
Van Sicklen,
Walker,
Wardner,
Warner,
Welch,
Wells,
Whipple,
Whitcomb,
White,
Wiley,—.99

Those who voted in the negative are, Messrs.

Atwood,
Austin,
Bacon,
Baker,
Barber of Pownal,
Barton,
Boardman of Hydepark,
Bottum,
Brackett,
Bradley,
Brown of Whiting,
Brown of Whitingham,
Canfield,
Clark,
Cobb of Strafford,
Cobb of Tinmouth,
Colby,
Denison of Hartland,
Eager,
Eaton,
Edmonds,
Ellis,
Ellsworth,
Field,
Fish,
Flint of Lowell,
Fox,
French,
Fuller,
Fullerton,
Gay,
Glazier,
Gove,
Graves,
Grow,
Harris of Mansfield,
Harris of Windham,
Henry,
Holcomb,
Houghton,
Howe of Vernon,
Howe of Williamstown,
Hyde,
Ingalls,
Janes,
Jewett,
Johnson,
Judson,
Keith,
Kibby,
Kidder,
Lackie,
Ladd of Grand Isle,
Lyon,
Martindale,
May,
McFarland,
Morrill of Danville,
Mott,
Naramore,
Newell,
Niles,
Page of Plainfield,
Page of Westminster,
Park,
Perkins,
Pettibone,
Powell,
Richardson,
Roscoe,
Ross,
Rowell,
Sanborn,
Scott,
Shattuck,
Sheldon,
Skiff,
Small,
Smeed,
Smith of Addison,
Smith of Barton,
Smith of Monkton,
Soule,
Sprague,
Stanton,
Stoddard,
Towle,
Tracy,
Tuttle of Sandgate,
Tyler,
Vilas,
Webster of Cabot,
Wheeler of Reading
Wheeler of Winhall,
Wheelock,
Whitelaw,

Whitney, Willis, Woodbridge,—101.
Wiggins, Winslow,

So it was decided in the negative.

On motion of Mr. Cushman,

Ordered, That said resolution lie on the table.

Mr. Pond, the representative from the town of Panton, obtained leave of absence, from and after to-day, for the remainder of the session.

Mr. Wardner introduced the following resolution:

Resolved, That the Committee on Education be directed to inquire, whether the law relating to the State school tax requires alteration.

Which was read and passed.

(H. 36.) The engrossed bill entitled "an act to incorporate the Orange County Bank" was read the third time.

On motion of Mr. Prentiss,

Ordered, That said bill lie on the table, and be made the order of the day for Tuesday morning next.

Engrossed bills of the following titles were severally read the third time and passed:

(H. 90.) "An act altering the name of Elvira Patterson and constituting her heir-at-law of Osee F. and Huldah Allen."

(H. 122.) "An act in alteration of Chapter 107 of the Revised Statutes, in relation to jurors' fees."

A message from the Senate, by Mr. Clarke, their Secretary:

Mr. Speaker:—The Senate concur with the House of Representatives in passing the following bills:

(H. 127.) "An act in amendment of Chapter 102 of the Revised Statutes."

(H. 129.) "An act laying a tax on the lands in Bradley Vale."

(H. 15.) "An act to divide the State into Congressional Districts."

The Senate concur in passing the resolution relative to the distribution of the 13th volume of the Vermont Reports.

(H. 16.) The Senate do not concur in passing the bill entitled "an act in addition to Chapter 102 of the Revised Statutes."

(S. 13.) The Senate have passed a bill entitled "an act altering the name of Gilman Sinclair," and, also, a resolution relating to the collection of the School Fund, in which they ask the concurrence of this House.

(H. 131.) Mr. Cobb of Strafford, from the Committee on Banks, to which was referred the bill entitled "an act to amend 'an act to incorporate the President, Directors and Company of the Bank of Montpelier," reported that said bill ought not to pass.

Mr. Skiff moved to dismiss said bill; and the question being taken was decided in the negative.

Said bill was read the second time.

Ordered, That it be engrossed and read the third time.

A resolution from the Senate:

Resolved, by the Senate and House of Representatives, That the Commissioner of the School Fund be directed to suspend the collection of the demands due from individuals to said Fund, upon receiving the interest due thereon, and ample security, to the satisfaction of said Commissioner, that the interest shall be paid annually, and the principal in four years.

Which was read; and on the question being taken, the House refused to concur in passing the same.

(S. 13.) The bill from the Senate entitled "an act altering the name of Gilman Sinclair," was read the first and second time, and referred to the General Committee.

(H. 106.) Mr. Guild, from the Land Tax Committee, to which was recommitted the bill entitled "an act in amendment of an act laying a tax on the lands in Avery's Gore in Addison County," reported in favor of the passage thereof, and said bill was read the second time.

Ordered, That it be engrossed and read the third time.

(H. 134.) Mr. Guild, from the same Committee, to which was referred the bill entitled "an act to continue in force, and in amendment of, 'an act laying a tax on the lands in Goshen,'" reported the same without amendment, and said bill was read the second time.

Ordered, That it be engrossed and read the third time.

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

Mr. Speaker:—I am directed by His Excellency the Governor to announce to the House of Representatives, that he has this day approved and signed the following bills:

(H. 108.) "An act in alteration of Chapter 83 of the Revised Statutes."

(H. 86.) "An act to amend section 11 of Chapter 16 of the Revised Statutes, relating to the support and removal of paupers."

(H. 105.) Mr. Harris of Windham, from the committee composed of members from Windham County, to which was referred the bill entitled "an act annexing a part of Somerset to the towns of Dover and Stratton," reported that said bill ought not to pass.

Mr. Fullerton moved to dismiss said bill.

And on the question, shall the bill be dismissed? the yeas and nays, having been demanded, were taken and were as follows:

Those who voted in the affirmative are, Messrs.

Atwood,	Chamberlin,	French,
Baker,	Clapp,	Fuller,
Barr,	Clark,	Fullerton,
Barber of Enosburgh,	Cummings,	Gay,
Barden,	Cushman,	Glazier,
Barney,	Davis of Baltimore,	Graves,
Barton,	Dewing,	Green,
Bennett,	Denison of Hartland,	Griggs,
Blake,	Eager,	Guild,
Bogue,	Eames,	Harris of Windham,
Bowe,	Edmonds,	Hartshorn,
Brackett,	Ellis,	Hazen,
Briggs,	Ellsworth,	Henry,
Brigham,	Esty,	Hill,
Brooks,	Field,	Holcomb,
Brown of Whiting,	Flint of Lowell,	Holden,
Brown of Whitingham,	Folsom,	Hollister of Marshfield,
Bump,	Foster of Berlin,	Hollister of Pawlet,
Canfield,	Foster of Tunbridge,	Howard of Andover,
Carpenter,	Fox,	Howe of Vernon,

Howe of Williamstown, Page of Corinth, Stark,
Ingalls, Page of Plainfield, Stoddard,
Janes, Page of Westminster, Taylor,
Jewett, Park, Towle,
Johnson, Peake, Tracy,
Jones of Dover, Peck, Turner,
Keith, Powell, Tuttle of Sandgate,
Kellogg, Richardson, Tuttle of Weathersfield,
Kidder, Roscoe, Van Sicklen,
Kinsley, Ross, Walker,
Lackie, Rowell, Wardner,
Ladd of Grand Isle, Russ, Warner,
Ladd of Wolcott, Russell, Webster of Colchester,
Lyon, Sanford of Castleton, Welch,
Martindale, Scott, Wheeler of Reading,
Morrill of Danville, Shafter, Wheeler of Winhall,
Mott, Sheldon, Whipple,
Needham, Smeed, Whitcomb,
Newell, Smith of Addison, White,
Niles, Smith of Barton, Whitelaw,
Noyes, Smith of Hinesburgh, Wiley,
Paddock, Soule, Winslow,—126.

Those who voted in the negative are, Messrs.

Adams, Douglass of Waterbury, Parker,
Aiken, Fish, Rice,
Aldrich, Gould, Robbins,
Bailey of Elmore, Gove, Sanborn,
Ball, Grow, Sanford of Cornwall,
Boardman of Hydepark, Harwood, Smith of Monkton,
Bradley, Hinds, Taplin,
Caldwell of Mendon, Kibby, Vilas,
Cobb of Strafford, Marshall, Webster of Cabot,
Colby, McFarland, Wells,
Colton, Moore, Willis,—35.
Douglass of Richmond, Norris,

So it passed in the affirmative.

The House adjourned.

AFTERNOON.

(H. 124.) Mr. Roscoe, from the Committee of Claims, to which was referred the bill entitled "an act to pay William Bradford the sum therein mentioned," reported that said bill ought not to pass.

Mr. Shafter moved to dismiss said bill.

And the question being taken, it passed in the affirmative.

Mr. Wardner introduced the following resolution:

Resolved, That the Committee on the State Prison be directed to inquire whether it be necessary to make an appropriation, to pay the existing debts of the Prison.

Which was read and passed.

(H. 146.) Mr. Keith, on leave, introduced a bill entitled "an act in relation to the collection of taxes."

Which was read the first time and referred to the Judiciary Committee.

(H. 147.) Mr. Canfield, on leave, introduced a bill entitled "an act in addition to Chapter 29 of the Revised Statutes."

Which was read the first time and referred to the Judiciary Committee.

(H. 148.) Mr. Howe of Vernon, on leave, introduced a bill entitled "an act in addition to Chapter 77 of the Revised Statutes, for the collection of taxes."

Which was read the first time and referred to the Judiciary Committee.

(H. 48.) On motion of Mr. Roscoe, the Committee of Claims was discharged from the consideration of the bill entitled "an act to pay Danforth & Lewis the sum therein mentioned;" and said bill was referred to the Committee on the State Prison.

Mr. Fullerton, from the Committee on Bills, reported that said Committee had presented to the Governor, for his approbation and signature, bills of the following titles, namely:

(S. 20.) "An act to pay the persons therein named the sum therein mentioned."

(S. 31.) "An act in relation to actions of scire facias."

(S. 34.) "An act defining the 4th and 5th clauses of the 1st section of the 47th Chapter of the Revised Statutes."

(H. 86.) "An act to amend section 11 of Chapter 16 of the Revised Statutes, relating to the support and removal of paupers."

(H. 108.) "An act in alteration of Chapter 83 of the Revised Statutes."

(H. 68.) Mr. Winslow, from the Committee on Roads, to which was referred the bill entitled "an act in addition to Chapter 20 of the Revised Statutes," reported the same with amendments.

Mr. Canfield moved to dismiss said bill; and the question being taken, it passed in the affirmative.

(H. 22.) Mr. Sprague, from the same Committee, to which was referred the bill entitled "an act in alteration of section 2 of Chapter 21 of the Revised Statutes," reported the same with an amendment, which was adopted, and said bill was read the second time.

Ordered, That it be engrossed and read the third time on Monday morning next.

(H. 133.) Mr. Sprague, from the same Committee, to which was referred the bill entitled "an act in relation to the laying out of Roads," reported that said bill ought not to pass.

Mr. Cobb of Strafford moved to dismiss said bill; and the question being taken, it passed in the affirmative.

(H. 149.) Mr. Bailey of Elmore, from the General Committee, to which was referred the resolution, instructing said Committee to inquire into the expediency of so amending the 23d section of Chapter 21 of the Revised

Statutes, that surveyors of highways hereafter shall be required to make their returns on or before the 15th of April in each year, in lieu of the month of April, reported a bill entitled "an act to amend section 23 of Chapter 21 of the Revised Statutes," which was read the first and second time.

Ordered, That said bill be engrossed and read the third time on Monday morning next.

(H. 138.) Mr. Bailey of Elmore, from the same Committee, to which was referred the bill entitled "an act regulating fees," reported the same without amendment, and the bill was read the second time.

Mr. Van Sicklen moved to dismiss said bill; and the question being taken, it was decided in the negative.

Mr. Woodbridge moved an amendment to section 1 of said bill, which section is as follows:

"Sec. 1 Each auditor, referee, or committee to lay out roads, appointed by the Supreme or County Courts of this State, shall receive for his services the sum of three dollars per day and ten cents per mile for his travel."

The amendment proposed was, to strike out the word "*three*" and insert the word "*two*."

And the question being taken, the House disagreed to said amendment.

Said bill was amended, on motion of Mr. Kidder.

Ordered, That it be engrossed and read the third time on Monday afternoon next.

(H. 139.) Mr. Bailey of Elmore, from the same Committee, to which was referred the bill entitled "an act relative to the fees of jurors in suits before Justices of the Peace," reported adversely to the passage of said bill.

Mr. Cushman moved to dismiss said bill; and the question being taken, it passed in the affirmative.

(H. 137) Mr. Bailey of Elmore, from the same Committee, to which was referred the bill entitled "an act to repeal so much of Chapter 83 of the Revised Statutes, as relates to licenses for retailing spirituous liquors," reported that said bill ought not to pass.

Mr. Ellis moved to dismiss said bill.

And on the question, shall the bill be dismissed? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,	Boardman of Hydepark,	Cobb of Tinmouth,
Aldrich,	Bogue,	Colton,
Atwood,	Bottum,	Cummings,
Bacon,	Bowe,	Cushman,
Bailey of Elmore,	Brackett,	Daniels,
Ball,	Bradley,	Davis of Baltimore,
Barber of Mount Holly,	Briggs,	Dewing,
Barber of Pownal,	Brown of Whiting,	Denison of Hartland,
Barden,	Brown of Whitingham,	Douglass of Richmond,
Barney,	Bump,	Douglass of Waterbury,
Barton,	Caldwell of Lincoln,	Eager,
Bennett,	Canfield,	Eames,
Billings,	Carpenter,	Ellis,
Blake,	Charlton,	Ellsworth,
Bliss,	Clapp,	Esty,

Field,
Fish,
Flagg,
Flint of Lowell,
Foster of Tunbridge,
French,
Fullerton,
Gay,
Glazier,
Gould,
Gove,
Green,
Grow,
Harris of Windham,
Hartshorn,
Harwood,
Henry,
Hodgkins,
Holden,
Houghton,
Howard of Benson,
Howe of Vernon,
Ingalls,
Janes,
Jewett,
Johnson,
Judson,
Keese,
Keith,
Kellogg,
Kidder,
Kinsley,
Lackie,
Ladd of Wolcott,
Lamb,
Leavenworth,
Lyon,
Marshall,
Martindale,
May,
McFarland,
Moon,
Moore,
Morrill of Canaan,
Naramore,
Needham,
Paddock,
Page of Corinth,
Page of Plainfield,
Page of Westminster,
Parker,
Peake,
Perkins,
Pettibone,
Pope,
Powell,
Richardson,
Roscoe,
Ross,
Sanborn,
Sanford of Castleton,
Sanford of Cornwall,
Shafter,
Sheldon,
Simonds,
Skiff,
Slack,
Smeed,
Smith of Addison,
Smith of Barton,
Smith of Hinesburgh,
Smith of Monkton,
Soule,
Sprague,
Stanton,
Stoddard,
Taplin,
Taylor,
Towle,
Tracy,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Tyler,
Van Sicklen,
Vilas,
Walker,
Wardner,
Webster of Colchester,
Welch,
Wheeler of Reading,
Wheeler of Winhall,
Wheelock,
Whipple,
Whitcomb,
White,
Whitney,
Wiley,
Willis,
Winslow,
Woodbridge,—145.

Those who voted in the negative are, Messrs.

Barr,
Brigham,
Caldwell of Mendon,
Cobb of Strafford,
Colby,
Eaton,
Guild,
Hazen,
Holcomb,
Hollister of Pawlet,
Howard of Andover,
Jones of Dover,
Kibby,
Ladd of Grand Isle,
Lockwood,
Norris,
Park,
Rice,
Rowell,
Shattuck,
Small,
Stark,
Wells,—23.

So it passed in the affirmative.

(H. 109.) Mr. Vilas, from the Judiciary Committee, to which was referred the bill entitled "an act in relation to victualling houses," reported the same without amendment.

Mr. Henry moved to dismiss said bill.

And on the question, shall the bill be dismissed? the yeas and nays, having been demanded, were taken and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,
Atwood,
Bacon,
Bailey of Elmore,
Ball,
Barton,

Bennett,
Billings,
Blake,
Bliss,
Boardman of Hydepark,
Bogue,
Bottum,
Bowe,
Bradley,
Briggs,
Brown of Whiting,
Brown of Whitingham,
Clapp,
Clark,
Cobb of Strafford,
Cobb of Tinmouth,
Colby,
Daniels,
Davis of Baltimore,
Dewing,
Douglass of Richmond,
Douglass of Waterbury,
Eager,
Eames,
Eaton,
Ellis,
Ellsworth,
Field,
Fish,
Flagg,
Foster of Tunbridge,
Fox,
French,
Fuller,
Fullerton,
Gay,
Gould,
Gove,
Grow,
Guild,
Harris of Windham,
Hartshorn,
Henry,
Hill,
Howard of Benson,
Howe of Vernon,
Hyde,
Ingalls,
Jewett,
Johnson,
Jones of Dover,
Keith,
Kellogg,
Kibby,
Kinsley,
Ladd of Wolcott,
Lamb,
Lyon,
Martindale,
May,
McFarland,
Moon,
Morrill of Canaan,
Morrill of Danville,
Needham,
Newell,
Niles,
Norris,
Page of Westminster,
Perkins,
Pettibone,
Pope,
Powell,
Rice,
Richardson,
Ross,
Rowell,
Sanborn,
Sanford of Castleton,
Shafter,
Sheldon,
Simonds,
Small,
Smeed,
Smith of Barton,
Soule,
Taplin,
Taylor,
Towle,
Tracy,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Tyler,
Wells,
Wheeler of Reading,
Wheeler of Winhall,
Whipple,
Whitcomb,
Whitney,
Wiley,
Willis,
Winslow,—108.

Those who voted in the negative are, Messrs.

Baker,
Barr,
Barber of Mount Holly,
Barber of Pownal,
Barden,
Bump,
Carpenter,
Cummings,
Denison of Hartland,
Edmonds,
Esty,
Flint of Lowell,
Harwood,
Hazen,
Hinds,
Hodgkins,
Holcomb,
Holden,
Hollister of Pawlet,
Houghton,
Janes,
Judson,
Kidder,
Lackie,
Ladd of Grand Isle,
Lockwood,
Marshall,
Moore,
Mott,
Paddock,
Page of Corinth,
Park,
Peake,
Roscoe,
Sanford of Cornwall,
Scott,
Shattuck,
Skiff,
Smith of Addison,
Smith of Hinesburgh,
Smith of Monkton,
Sprague,
Stanton,
Stoddard,
Van Sicklen,
Walker,
Wardner,
Webster of Colchester,
Welch,
Wheelock,
White,
Woodbridge,—52.

So it passed in the affirmative.

(H. 143.) Mr. Bailey of Elmore, from the General Committee, to which was referred the bill entitled "an act fixing the salary of the Secretary of Civil and Military Affairs," reported the same with an amendment, which was adopted.

Mr. Woodbridge moved to dismiss said bill; and the question being taken, it was decided in the negative.

And the bill was read the second time.

Ordered, That it be engrossed and read the third time on Monday afternoon next.

A message from the Senate, by Mr. Stansbury, Assistant Secretary:

MR. SPEAKER:—The Senate concur with the House of Representatives in passing bills of the following titles:

(H. 111.) "An act in addition to 'an act to incorporate the Bennington County Mutual Fire Insurance Company.'"

(H. 116.) "An act in amendment of 'an act to incorporate the President, Directors and Company of the Bank of Poultney.'"

(S. 41.) The Senate have passed a bill entitled "an act relating to highways," in which they request the concurrence of this House.

The House adjourned.

MONDAY, NOV. 7, 1842.

Prayer by Rev. E. J. Scott.

(S. 41.) The bill from the Senate entitled "an act relating to highways" was read the first time and referred to the Committee on Roads.

Engrossed bills of the following titles were severally read the third time and passed, namely:

(H. 131.) "An act to amend 'an act to incorporate the President, Directors and Company of the Bank of Montpelier.'"

(H. 106.) "An act in amendment of 'an act laying a tax on the lands in Avery's Gore in Addison County.'"

(H. 134.) "An act to continue in force, and in amendment of, an act laying a tax on lands in Goshen."

(H. 22.) "An act in alteration of section 2 of Chapter 21 of the Revised Statutes."

(H. 149.) "An act to amend section 23 of Chapter 21 of the Revised Statutes."

Mr. Barton introduced the following resolution:

Resolved, by the Senate and House of Representatives, That the two Houses adjourn, without day, on Friday, the 11th day of November instant, at five o'clock, A. M.

Which was read and passed.

(H. 87.) Mr. Niles, from the Committee on Education, to which was referred the bill entitled "an act in addition to Chapter 18 of the Revised Statutes," reported that said bill ought not to pass.

Mr. Douglass of Waterbury moved to dismiss said bill; and the question being taken, it passed in the affirmative.

Mr. Niles, from the same Committee, to which was referred the resolution instructing said Committee to inquire into the expediency of providing by law for an equal distribution of money, accruing from any tax for the support of schools, on non-resident lands in any town, among the several school districts in such town without reference to scholars, reported that it is inexpedient to legislate thereon at this time.

Mr. Prentiss, from the same Committee, to which were referred the proceedings of the Convention of the friends of African Colonization, and a memorial of said Convention to the General Assembly of this State, reported that any legislative action on the same is inexpedient; which report was concurred in.

(H. 135.) Mr. Webster of Colchester, from the same Committee, to which was referred the bill entitled "an act in amendment of section 32 of Chapter 18 of the Revised Statutes," reported the same with amendments.

Mr. Harris of Windham moved to dismiss said bill; and the question being put, it passed in the affirmative.

Mr. Barton introduced the following resolution:

Resolved, That the House will hold evening sessions, commencing on Tuesday evening next, at half past six o'clock.

Which was read and passed.

(H. 150.) Mr. Harrington, on leave, introduced a bill entitled "an act to pay Chauncey Goodrich the sum therein mentioned."

Which was read the first time and referred to the Committee of Claims.

(H. 151.) Mr. Field, on leave, introduced a bill entitled "an act to punish offences against public and private property."

Which was read the first time and referred to the Judiciary Committee.

Mr. Barton introduced the following resolution:

Resolved, That no bill shall be introduced after Tuesday next, unless reported by Committee, or by the unanimous consent of the House.

Which was read and passed.

Mr. Parker, from the Committee on Bills, reported that said Committee had this day presented to the Governor, for his approbation and signature, the following entitled bills:

(H. 111.) "An act in addition to an act to incorporate the Bennington County Mutual Fire Insurance Company."

(H. 116.) "An act in amendment of an act to incorporate the President, Directors and Company of the Bank of Poultney."

(H. 152.) Mr. Sprague, from the Committee on Roads, to which was referred the petition of Caleb Fenn and others, praying for the grant of a Turnpike in Mount Tabor, reported a bill entitled "an act to incorporate the Branch Turnpike Company," which was read the first time.

Mr. Parker moved to dismiss said bill; and the question being taken, it was decided in the negative.

Mr. Davis of Norwich moved to strike out the *fourth* section of said bill, which section is as follows:

"SEC. 4. When said turnpike shall be completed, to the acceptance of the turnpike inspector of the County of Rutland, said corporation may erect one gate on said road, and may remove the same at pleasure, and may take such rates of toll at said gate from each traveller or passenger, or beast of every kind, and carriages of all descriptions, for pleasure or freight, on wheels, runners, or otherwise, as the Judges of the County Court of the County of Rutland may assess. Provided, That any person, going to or from public worship, or mill, or military duty, or any of the inhabitants of the town of Mount Tabor, passing said gate upon the common and ordinary business of domestic concerns, shall not be subject to pay toll."

And on the question, shall the bill be amended as proposed? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,	Ellsworth,	Naramore,
Aldrich,	Fuller,	Niles,
Bailey of Lemington,	Goodsill,	Norris,
Baker,	Guild,	Parker,
Barr,	Hartshorn,	Perkins,
Barber of Pownal,	Henry,	Powell,
Barney,	Hodgkins,	Rowell,
Bennett,	Jones of Dover,	Scott,
Bogue,	Keith,	Small,
Colton,	Kent,	Smith of Barton,
Davis of Baltimore,	Ladd of Wolcott,	Taplin,
Davis of Norwich,	Lamb,	Taylor,
Dewing,	Leavenworth,	Webster of Cabot,
Denison of Hartland,	Marshall,	Wells,
Eager,	May,	Willis,—45.

Those who voted in the negative are, Messrs.

Aiken,	Canfield,	Foster of Tunbridge,
Atwood,	Charlton,	Fox,
Bacon,	Clapp,	French,
Bailey of Elmore,	Clark,	Gay,
Ball,	Cobb of Strafford,	Glazier,
Barber of Mount Holly,	Cobb of Timmouth,	Gould,
Barden,	Colby,	Gove,
Barton,	Cummings,	Graves,
Billings,	Douglass of Richmond,	Green,
Bliss,	Dustin,	Grow,
Boardman of Hydepark,	Eames,	Harrington,
Boardman of Milton,	Eaton,	Harris of Windham,
Bowe,	Edmonds,	Harwood,
Brackett,	Ellis,	Hazen,
Bradley,	Emery,	Hill,
Briggs,	Esty,	Hinds,
Brown of Whiting,	Field,	Holcomb,
Brown of Whitingham,	Fish,	Holden,
Bump,	Flagg,	Hollister of Pawlet,
Caldwell of Lincoln,	Flint of Lowell,	Houghton,
Caldwell of Mendon,	Foster of Berlin,	Howard of Andover,

Howard of Benson,	Paddock,	Sprague,
Howe of Vernon,	Page of Westminster,	Stanton,
Hyde,	Park,	Stark,
Ingalls,	Peck,	Stoddard,
Janes,	Pettibone,	Towle,
Jewett,	Pope,	Tracy,
Johnson,	Prentiss,	Tuttle of Sandgate,
Keese,	Rice,	Tuttle of Weathersfield,
Kellogg,	Richardson,	Tyler,
Kibby,	Roscoe,	Wardner,
Kidder,	Ross,	Warner,
Kinsley,	Russ,	Welch,
Lackie,	Russell,	Wheeler of Reading,
Ladd of Grand Isle,	Sanborn,	Wheeler of Winhall,
Lockwood,	Sanford of Castleton,	Wheelock,
Lyon,	Sanford of Cornwall,	Whipple,
Martindale,	Sheldon,	Whitcomb,
McFarland,	Simonds,	White,
Moon,	Skiff,	Whitelaw,
Morrill of Danville,	Slack,	Whitney,
Mott,	Smeed,	Wiley,
Needham,	Smith of Addison,	Winslow.
Noyes,	Smith of Hinesburgh,	Woodbridge,—132.

So it was decided in the negative.

Said bill was read the second time.

Ordered, That it be engrossed and read the third time.

(H. 101.) The bill entitled "an act relating to banks" was amended, on motion of Mr. Prentiss.

Ordered, That said bill be engrossed and read the third time this afternoon.

(H. 59.) The bill entitled "an act to amend 'an act relating to Banks,' approved October 28, 1840," was considered, on motion of Mr. Woodbridge, and read the second time.

And the question was stated, shall the bill be engrossed and read the third time? and being taken, it was decided in the negative.

A message from the Senate, by Mr. Clarke, their Secretary:

Mr. Speaker:—The Senate have passed bills of the following titles, in which they request the concurrence of this House, namely:

(S. 29.) "An act in addition to Chapter 44 of the Revised Statutes."

(S. 40.) "An act for surveying and ascertaining the boundary line between the Counties of Bennington and Windham."

(S. 43.) "An act in addition to Chapter 20 of the Revised Statutes."

(S. 61.) "An act relating to the Bank of Windsor."

(S. 72.) "An act in amendment of Chapter 80 of the Revised Statutes."

(H. 145.) On motion of Mr. Noyes, the House resolved itself into a Committee of the Whole House upon the bill entitled "an act in addition to, and in alteration of, an act relating to the Grand List,' approved November 11, 1841;" and after some time spent therein, the Speaker resumed the Chair, and Mr. Noyes reported that the Committee of the Whole House had, according to order, had the said bill under consideration, made some progress therein, and directed him to ask leave of the House to sit again.

And the question was stated, will the House grant the leave asked to the Committee of the Whole? and being put, the House refused the leave requested.

The House adjourned.

AFTERNOON.

Mr. Fullerton, from the Committee on Bills, reported that said Committee had this day presented to the Governor, for his approval and signature, bills of the titles following:

(H. 15.) "An act to divide the State into Congressional Districts."

(H. 127.) "An act in amendment of Chapter 102 of the Revised Statutes."

(H. 129.) "An act laying a tax on the lands in Bradley Vale."

(H. 145.) The House resumed the consideration of the bill entitled "an act in addition to, and in alteration of, 'an act relating to the Grand List,' approved November 11, 1841," which was pending at the adjournment this forenoon.

Said bill was amended, on motion of Mr. Rice.

Mr. Van Sicklen moved to amend section *nine* of said bill, which section is as follows:

"SEC. 9. No deduction shall be made from the valuation of the taxable personal property of any person for debts owing by him, unless such person shall make oath that the same is a *bona fide* debt, which he considers himself legally bound to pay, and such person may be interrogated under oath by said listers, as to the name and residence of his creditor or creditors, and the amount due to each, and such other interrogations as the listers shall think proper respecting such debts by him disclosed or plead in offset; nor shall any person be allowed any deduction for any debt on which he shall be holden as surety, and not as principal, or as copartner in any mercantile or other business, except from the property of such copartners, nor for any debt which shall appear to have been a gift."

By striking therefrom all after the words "*owing by him.*"

And on the question, shall the section be amended as proposed? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Aiken,	Edmonds,	Lockwood,
Bottum,	Grow,	Morse,
Bradley,	Holden,	Van Sicklen,
Carpenter,	Ingalls,	Wiggins,
Douglass of Richmond,	Ladd of Grand Isle,	Woodbridge,—16.
Eames,		

Those who voted in the negative are, Messrs.

Adams,	Atwood,	Bailey of Lemington,
Aldrich,	Bacon,	Baker,
Ambler,	Bailey of Elmore,	Ball,

Barr,
Barber of Enosburgh,
Barber of Mount Holly,
Barber of Pownal,
Barden,
Barney,
Barton,
Bennett,
Billings,
Blake,
Bliss,
Boardman of Hydepark,
Bogue,
Bowe,
Brackett,
Briggs,
Brigham,
Brooks,
Brown of Whiting,
Brown of Whitingham,
Bump,
Caldwell of Lincoln,
Caldwell of Mendon,
Canfield,
Chamberlin.
Charlton,
Clapp,
Clark,
Cobb of Strafford,
Cobb of Tinmouth,
Colby,
Colton,
Cummings,
Cushman,
Daniels,
Davis of Baltimore,
Davis of Norwich,
Dewing,
Denison of Hartland,
Douglass of Waterbury,
Dustin,
Eager,
Ellis,
Ellsworth,
Emery,
Esty,
Field,
Fish,
Flagg,
Flint of Braintree,
Flint of Lowell,
Folsom,
Foster of Berlin,
Foster of Tunbridge,
Fox,
French,
Fuller,
Fullerton,
Gay,
Glazier,
Goodsill,
Gould,
Gove,
Graves,
Griggs,
Guild,
Harrington,
Harris of Windham,
Hartshorn,
Hazen,
Henry,
Hill,
Hinds,
Hodgkins,
Holcomb,
Hollister of Marshfield,
Hollister of Pawlet,
Howard of Andover,
Howard of Benson,
Howe of Vernon,
Howe of Williamstown,
Hyde,
Jewett,
Johnson,
Jones of Dover,
Jones of Waitsfield,
Judson,
Keese,
Keith,
Kellogg,
Kent,
Kibby,
Kidder,
Lackie,
Ladd of Wolcott,
Lamb,
Lyon,
Marshall,
Martindale,
May,
McFarland,
McLoud,
Moore,
Morrill of Danville,
Mott,
Naramore,
Needham,
Niles,
Norris,
Noyes,
Paddock,
Page of Plainfield,
Page of Westminster,
Park,
Peck,
Perkins,
Perry,
Pettibone,
Pope,
Powell,
Rice,
Richardson,
Robbins,
Roscoe,
Ross,
Rowell,
Russ,
Russell,
Sanborn,
Sanford of Castleton,
Sanford of Cornwall,
Scott,
Shafter,
Shattuck,
Sheldon,
Simonds,
Skiff,
Slack,
Small,
Smeed,
Smith of Addison,
Smith of Hinesburgh,
Smith of Monkton,
Soule,
Spalding,
Stanton,
Stark,
Stoddard,
Taplin,
Taylor,
Towle,
Tracy,
Turner,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Tyler,
Vilas,
Walker,
Wardner,

Warner,	Wheeler of Winhall,	Whitney,
Webster of Cabot,	Wheelock,	Wiley,
Welch,	Whitcomb,	Willis,
Wells,	White,	Winslow.—182.
Wheeler of Reading,	Whitelaw,	

So it was decided in the negative.

Mr. Van Sicklen moved to amend said bill by adding the following section thereto:

"SEC. 13. The listers of the several towns in this State, hereafter chosen to make up the list of such town, shall, after appraising all the estate, both real and personal, as in the act to which this is an addition they are required, and ascertaining the amount thereof, deduct therefrom the just debts which shall be found due from such person, and the balance, so found, shall be the sum on which the one per cent. shall be assessed for taxation for the year ensuing."

And on the question, will the House adopt the proposed amendment? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Aiken,	Goodsill,	Ross,
Bailey of Elmore,	Graves,	Russell,
Bailey of Lemington,	Green,	Sanborn,
Barr,	Guild,	Sheldon,
Barber of Mount Holly,	Harrington,	Simonds,
Barney,	Hartshorn,	Skiff,
Bottum,	Harwood,	Smith of Hinesburgh,
Bowe,	Holcomb,	Spalding,
Bradley,	Holden,	Sprague,
Briggs,	Hollister of Pawlet,	Taylor,
Brigham,	Ingalls,	Tracy,
Brooks,	Janes,	Tuttle of Sandgate,
Canfield,	Jones of Dover,	Van Sicklen,
Carpenter,	Keese,	Vilas,
Chamberlin,	Kinsley,	Wardner,
Clapp,	Ladd of Grand Isle,	Warner,
Colby,	Leavenworth,	Webster of Cabot,
Denison of Hartland,	Lockwood,	Webster of Colchester,
Douglass of Richmond,	Lyon,	Welch,
Eaton,	Peck,	Wells,
Flint of Braintree,	Perkins,	White,
Flint of Lowell,	Pettibone,	Wiggins,
Foster of Berlin,	Pope,	Willis,
Fox,	Roscoe,	Woodbridge,—73.
Fuller,		

Those who voted in the negative are, Messrs.

Adams,	Barber of Enosburgh,	Boardman of Hydepark,
Aldrich,	Barber of Pownal,	Boardman of Milton,
Ambler,	Barden,	Bogue,
Atwood,	Barton,	Brackett,
Austin,	Bennett,	Brown of Whiting,
Bacon,	Billings,	Brown of Whitingham,
Baker,	Blake,	Bump,
Ball,	Bliss,	Caldwell of Lincoln,

Caldwell of Mendon,
Charlton,
Clark,
Cobb of Strafford,
Cobb of Tinmouth,
Cummings,
Cushman,
Daniels,
Davis of Baltimore,
Davis of Norwich,
Dewing,
Douglass of Waterbury,
Dustin,
Eager,
Eames,
Edmonds,
Ellsworth,
Emery,
Esty,
Field,
Fish,
Flagg,
Folsom,
Foster of Tunbridge,
French,
Fullerton,
Gay,
Glazier,
Gould,
Gove,
Griggs,
Grow,
Harris of Windham,
Hazen,
Henry,
Hill,
Hinds,
Hollister of Marshfield,
Howard of Andover,
Howard of Benson,
Howe of Vernon,
Howe of Williamstown,
Hyde,
Jewett,
Johnson,
Jones of Waitsfield,
Judson,
Kellogg,
Kent,
Kibby,
Kidder,
Lackie,
Ladd of Wolcott,
Lamb,
Marshall,
Martindale,
May,
McFarland,
McLoud,
Moon,
Moore,
Morrill of Canaan,
Morrill of Danville,
Morse,
Mott,
Naramore,
Needham,
Niles,
Norris,
Noyes,
Paddock,
Page of Corinth,
Page of Plainfield,
Page of Westminster,
Park,
Parker,
Perry,
Powell,
Rice,
Richardson,
Robbins,
Rowell,
Russ,
Sanford of Castleton,
Scott,
Shafter,
Shattuck,
Slack,
Small,
Smeed,
Smith of Addison,
Smith of Barton,
Smith of Monkton,
Soule,
Stanton,
Stark,
Stoddard,
Taplin,
Towle,
Turner,
Tuttle of Weathersfield,
Tyler,
Walker,
Wheeler of Reading,
Wheeler of Winhall,
Wheelock,
Whipple,
Whitcomb,
Whitelaw,
Whitney,
Wiley,
Winslow,—136.

So it was decided in the negative.

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

Mr. Speaker:—I am directed to announce to the House of Representatives, that His Excellency the Governor has this day approved and signed bills of the following titles:

(H. 15) "An act to divide the State into Congressional Districts."

(H. 111.) "An act in addition to an act to incorporate the Bennington County Mutual Fire Insurance Company."

(H. 116.) "An act in amendment of an act entitled 'an act to incorporate the President, Directors and Company of the Bank of Poultney.'"

(H. 127.) "An act in amendment of Chapter 102 of the Revised Statutes."

(H. 129.) "An act laying a tax on the lands in Bradley Vale."

Said bill (H. 145) was further amended.

A message from the Senate, by Mr Clarke, their Secretary:

MR. SPEAKER:—The Senate concur in passing the resolution designating the time for the adjournment of the two Houses without day.

(H. 90.) The Senate have passed the bill from the House entitled, "an act altering the name of Elvira Patterson, and constituting her heir at law of Osee F. and Huldah Allen," with a proposal of amendment, in which they request the concurrence of this House.

(H. 122.) The Senate do not concur in passing the bill entitled "an act in alteration of Chapter 107 of the Revised Statutes, in relation to juror's fees."

Mr. Peck, then, moved to amend said bill (H. 145) by inserting in section *nine*, as above spread out on the journal, after the words "*make oath*," the words "*if required by said listers.*"

And on the question, shall the bill be thus amended? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,	Gove,	Page of Westminster,
Aiken,	Graves,	Park,
Ambler,	Green,	Parker,
Bacon,	Griggs,	Peake,
Bailey of Elmore,	Harrington,	Peck,
Barr,	Hartshorn,	Perkins,
Barber of Enosburgh,	Henry,	Pettibone,
Barber of Mount Holly,	Hinds,	Pope,
Barden,	Hodgkins,	Powell,
Barton,	Holcomb,	Prentiss,
Billings,	Holden,	Robbins,
Blake,	Hollister of Pawlet,	Rowell,
Boardman of Milton,	Houghton,	Russ,
Bogue,	Howe of Vernon,	Sanford of Castleton,
Brackett,	Jewett,	Sanford of Cornwall,
Briggs,	Jones of Waitsfield,	Scott,
Brigham,	Keese,	Shafter,
Brown of Whitingham,	Keith,	Sheldon,
Canfield,	Kellogg,	Simonds,
Clark,	Kent,	Soule,
Cobb of Strafford,	Kibby,	Spalding,
Cummings,	Lackie,	Sprague,
Cushman,	Ladd of Grand Isle,	Stoddard,
Daniels,	Ladd of Wolcott,	Towle,
Davis of Baltimore,	Lamb,	Tracy,
Dewing,	Leavenworth,	Turner,
Dustin,	Lyon,	Tuttle of Sandgate,
Eames,	Martindale,	Warner,
Edmonds,	Moon,	Webster of Colchester,
Ellsworth,	Moore,	Welch,
Esty,	Morse,	Wells,
Field,	Mott,	Whitcomb,
Foster of Berlin,	Naramore,	Wiggins,
Fullerton,	Noyes,	Woodbridge,—104.
Goodsill,	Paddock,	

Those who voted in the negative are, Messrs.

Aldrich,	Bailey of Lemington,	Barney,
Atwood,	Ball,	Bennett,

Bliss,
Bottum,
Bowe,
Bradley,
Brown of Whiting,
Bump,
Caldwell of Lincoln,
Caldwell of Mendon,
Chamberlin,
Charlton,
Clapp,
Cobb of Tinmouth,
Colby,
Colton,
Davis of Norwich,
Denison of Hartland,
Douglass of Richmond,
Douglass of Waterbury,
Eaton,
Ellis,
Emery,
Fish,
Flagg,
Flint of Braintree,
Folsom,
Foster of Tunbridge,
French,
Fuller,
Gay,
Gould,
Grow,
Guild,
Harris of Windham,
Harwood,
Hazen,
Hill,
Hollister of Marshfield,
Howe of Williamstown,
Hyde,
Ingalls,
Johnson,
Jones of Dover,
Kidder,
Kinsley,
Lockwood,
Marshall,
May,
McFarland,
McLoud,
Morrill of Canaan,
Morrill of Danville,
Needham,
Niles,
Norris,
Page of Corinth,
Page of Plainfield,
Perry,
Rice,
Richardson,
Ross,
Russell,
Sanborn,
Shattuck,
Skiff,
Slack,
Smeed,
Smith of Addison,
Smith of Hinesburgh,
Smith of Monkton,
Stanton,
Stark,
Taplin,
Taylor,
Tuttle of Weathersfield,
Van Sicklen,
Walker,
Wardner,
Wheeler of Winhall,
Wheelock,
Whipple,
White,
Whitelaw,
Whitney,
Wiley,
Willis,
Winslow,—92.

So it passed in the affirmative.

Mr. Smith of Addison moved to amend said bill by adding to the *third* section the following clause:

"And all real estate shall be set in the list at three fourths of one per cent. instead of one per cent. as now provided by law."

And on the question, will the House adopt the proposed amendment? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Austin,
Barber of Enosburgh,
Barber of Mount Holly,
Barney,
Barton,
Billings,
Boardman of Milton,
Briggs,
Brigham,
Carpenter,
Cobb of Tinmouth,
Colton,
Dewing,
Edmonds,
Ellis,
Fish,
Flint of Lowell,
Fox,
Graves,
Guild,
Harrington,
Harwood,
Holcomb,
Houghton,
Keese,
Kinsley,
Ladd of Grand Isle,
Lockwood,
Martindale,
Mott,
Page of Westminster,
Pettibone,
Sanford of Castleton,
Scott,
Sheldon,
Skiff,
Smeed,
Smith of Addison,
Stanton,
Tuttle of Sandgate,
Van Sicklen,
Webster of Colchester,
Woodbridge,—43.

Those who voted in the negative are, Messrs.

Adams,
Aiken,
Aldrich,
Ambler,
Atwood,
Bacon,
Bailey of Elmore,
Baker,
Ball,
Barr,
Barber of Pownal,
Bennett,
Blake,
Bliss,
Boardman of Hydepark,
Bogue,
Bottum,
Bowe,
Brackett,
Bradley,
Brooks,
Brown of Whiting,
Brown of Whitingham,
Bump,
Caldwell of Lincoln,
Caldwell of Mendon,
Canfield,
Chamberlin,
Charlton,
Clapp,
Clark,
Cobb of Strafford,
Colby,
Cummings,
Cushman,
Daniels,
Davis of Baltimore,
Davis of Norwich,
Denison of Hartland,
Douglass of Richmond,
Douglass of Waterbury,
Dustin,
Eager,
Eames,
Eaton,
Ellsworth,
Emery,
Esty,
Field,
Flagg,
Flint of Braintree,
Folsom,
Foster of Berlin,
Foster of Tunbridge,
French,
Fuller,
Fullerton,
Gay,
Glazier,
Griggs,
Grow,
Harris of Mansfield,
Harris of Windham,
Hartshorn,
Hazen,
Henry,
Hill,
Hinds,
Hodgkins,
Hollister of Marshfield,
Hollister of Pawlet,
Howard of Andover,
Howard of Benson,
Howe of Vernon,
Howe of Williamstown,
Hyde,
Ingalls,
Janes,
Jewett,
Johnson,
Jones of Dover,
Jones of Waitsfield,
Judson,
Keith,
Kellogg,
Kent,
Kibby,
Kidder,
Lackie,
Ladd of Wolcott,
Lamb,
Leavenworth,
Lyon,
Marshall,
May,
McFarland,
McLoud,
Moon,
Moore,
Morrill of Canaan,
Morrill of Danville,
Morse,
Needham,
Niles,
Norris,
Noyes,
Paddock,
Page of Corinth,
Page of Plainfield,
Park,
Parker,
Peake,
Peck,
Perkins,
Perry,
Pope,
Powell,
Prentiss,
Rice,
Richardson,
Robbins,
Roscoe,
Ross,
Rowell,
Russ,
Russell,
Sanborn,
Sanford of Cornwall,
Shafter,
Simonds,
Slack,
Small,
Smith of Barton,
Smith of Hinesburgh,
Smith of Monkton,
Soule,
Spalding,
Sprague,
Stark,
Stoddard,
Taplin,
Towle,
Tracy,
Turner,
Tuttle of Weathersfield,
Tyler,
Walker,
Wardner,
Warner,
Webster of Cabot,
Welch,
Wells,
Wheeler of Reading,
Wheeler of Winhall,
Wheelock,
Whipple,

Whitcomb,	Whitney,	Willis,
White,	Wiggins,	Winslow,—164.
Whitelaw,	Wiley,	

So it was decided in the negative.

And the question was stated, shall the bill be read the second time? and being taken, it passed in the affirmative.

When,

The House adjourned.

TUESDAY, Nov. 8, 1842.

Prayer by Rev. E. J. Scott.

On motion of Mr. Vilas, the Judiciary Committee was discharged from the consideration of the resolution, instructing said Committee to inquire into the legality and expediency of taxing real estate used for public, pious or charitable purposes, which was not originally granted or sequestered for such purpose.

Mr. Boardman, the representative from the town of Milton, obtained leave of absence from and after tomorrow, for the remainder of the session.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—The Senate do not concur with the House of Representatives in the resolution relative to the eligibility of Henry Stowell to the office of Commissioner of the Deaf and Dumb and the Blind, held by said Stowell the past year.

(H. 145.) The bill entitled "an act in addition to, and in alteration of, 'an act relating to the grand list,' approved November 11, 1841," was read the second time and amended.

Mr. Noyes moved to recommit said bill to the Committee to make up the Grand List; and the question being taken, it was decided in the negative.

And the question was stated, will the House order the said bill to be engrossed and read the third time?

On which question, the yeas and nays, having been demanded, were taken and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,	Ball,	Billings,
Aldrich,	Barr,	Blake,
Ambler,	Barber of Enosburgh,	Bliss,
Atwood,	Barber of Mount Holly,	Boardman of Hydepark,
Austin,	Barber of Pownal,	Bogue,
Bacon,	Barden,	Bowe,
Bailey of Lemington,	Barton,	Bowman,
Baker,	Bennett,	Brackett,

Brooks,
Brown of Whiting,
Brown of Whitingham,
Bump,
Caldwell of Lincoln,
Caldwell of Mendon,
Canfield,
Charlton,
Clapp,
Clark,
Cobb of Strafford,
Cobb of Tinmouth,
Colby,
Colton,
Cummings,
Daniels,
Davis of Baltimore,
Davis of Norwich,
Dewing,
Denison of Hartland,
Douglass of Waterbury,
Dustin,
Eager,
Eames,
Eaton,
Edmonds,
Ellis,
Ellsworth,
Emery,
Esty,
Field,
Fish,
Flagg,
Flint of Braintree,
Flint of Lowell,
Folsom,
Foster of Berlin,
French,
Fuller,
Fullerton,
Gay,
Glazier,
Goodsill,
Gould,
Graves,
Griggs,
Guild,
Harris of Mansfield,
Harris of Windham,
Hartshorn,
Hazen,
Henry,
Hill,
Hinds,
Holcomb,
Holden,
Hollister of Marshfield,
Hollister of Pawlet,
Houghton,
Howard of Andover,
Howard of Benson,
Howe of Vernon,
Hyde,
Jackson,
Janes,
Jewett,
Johnson,
Jones of Dover,
Jones of Waitsfield,
Judson,
Keese,
Keith,
Kellogg,
Kent,
Kibby,
Kidder,
Kinsley,
Ladd of Wolcott,
Lamb,
Leavenworth,
Lyon,
Marshall,
Martindale,
May,
McFarland,
Moon,
Moore,
Morrill of Canaan,
Morrill of Danville,
Morse,
Naramore,
Needham,
Newell,
Niles,
Norris,
Paddock,
Page of Plainfield,
Page of Westminster,
Park,
Parker,
Peake,
Peck,
Perkins,
Perry,
Pope,
Powell,
Prentiss,
Rice,
Richardson,
Robbins,
Roscoe,
Ross,
Rowell,
Russ,
Russell,
Sanborn,
Sanford of Castleton,
Sanford of Cornwall,
Scott,
Shafter,
Shattuck,
Sheldon,
Skiff,
Slack,
Small,
Smeed,
Smith of Addison,
Smith of Barton,
Smith of Hinesburgh,
Soule,
Spalding,
Sprague,
Stanton,
Stark,
Stoddard,
Taplin,
Taylor,
Towle,
Turner,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Tyler,
Walker,
Webster of Cabot,
Welch,
Wells,
Wheeler of Reading,
Wheeler of Winhall,
Wheelock,
Whipple,
Whitcomb,
White,
Whitelaw,
Whitney,
Wiley,
Willis,
Winslow,—181.

Those who voted in the negative are, Messrs.

Aiken,	Grow,	Noyes,
Bailey of Elmore,	Harrington,	Pettibone,
Briggs,	Harwood,	Van Sicklen,
Carpenter,	Hodgkins,	Vilas,
Douglass of Richmond,	Ingalls,	Warner,
Foster of Tunbridge,	Ladd of Grand Isle,	Webster of Colchester,
Fox,	Lockwood,	Woodbridge,—23.
Gove,	Mott,	

So it passed in the affirmative.

Ordered, That said bill be read the third time tomorrow morning.

(H. 153.) Mr. Pettibone, on leave, introduced a bill entitled "an act in addition to 'an act in relation to Banks' approved October 28, 1840."

Which was read the first time and referred to the Committee on Banks.

(H. 59.) Mr. Prentiss moved to reconsider the vote of yesterday, by which the House refused to order to the third reading the bill entitled "an act to amend 'an act relating to Banks' approved October 28, 1840;" which motion was ordered to lie on the table.

Engrossed bills of the following titles were severally read the third time and passed, namely:

(H. 138.) "An act regulating fees."

(H. 143.) "An act fixing the salary of the Secretary of Civil and Military Affairs."

(H. 101.) "An act relating to Banks."

(H. 152.) "An act to incorporate the Branch Turnpike Company."

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—The Senate have passed resolutions relative to reducing postages and abridging the franking privilege, in which they request the concurrence of the House of Representatives.

(H. 131.) The Senate have passed the bill from the House entitled "an act to amend 'an act to incorporate the President Directors, and Company of the Bank of Montpelier," with a proposal of amendment, in which they request the concurrence of this House.

(H. 154.) Mr. Baker, on leave, introduced a bill entitled "an act fixing the salary of the Librarian."

Which was read the first time and referred to the Committee on the Library, on the part of the House.

(H. 155.) Mr. Fullerton, on leave, introduced a bill entitled "an act altering the name of Sewall L. Fish."

Which was read the first time and referred to the General Committee.

Mr. Winslow introduced the following resolution:

Resolved, That the proceedings of the Joint Assembly, with a full list of all officers by it appointed, be appended to the journal of this House, and that the Secretary of State be directed to furnish the Clerk of the House with such proceedings.

Which was read and passed.

(H. 131.) The House proceeded to consider the amendment proposed by the Senate to the bill entitled "an act to amend an act to incorporate the President, Directors and Company of the Bank of Montpelier;" and it was *Resolved*, to concur in said amendment.

(S. 29.) The bill from the Senate entitled "an act in addition to Chapter 44 of the Revised Statutes," was read the first and second time.

Ordered, That said bill be read the third time tomorrow morning.

(S. 40.) The bill from the Senate entitled "an act for surveying and ascertaining the boundary line between the Counties of Bennington and Windham" was read the first and second time.

Ordered, That said bill be read the third time tomorrow morning.

(S. 43.) The bill from the Senate entitled "an act in addition to Chapter 20 of the Revised Statutes," was read the first time and referred to the Judiciary Committee.

(S. 61.) The bill from the Senate entitled "an act relating to the Bank of Windsor," was read the first and second time.

Ordered, That said bill be read the third time.

(S. 72.) The bill from the Senate entitled "an act in amendment of Chapter 80 of the Revised Statutes" was read the first time.

On motion of Mr. Warner,

Ordered, That said bill lie on the table, and be made the order of the day for this afternoon.

(H. 90.) The House proceeded to consider the amendment proposed by the Senate to the bill entitled "an act altering the name of Elvira Patterson and constituting her heir-at-law of Osee F. and Huldah Allen;" and it was

Resolved, That the House do agree to said amendment.

The following remonstrances against the division of the County of Windsor, were severally referred to the members from the County of Windsor, namely:

Of William S. Burton and others,
Of William Steele and others,
Of William Jarvis and others,
Of E. R. Messenger and others.

The petition of Joseph Wallis and others, for a repeal of the license laws, was referred to the General Committee.

(S. 47.) Mr. Webster of Colchester, from the select committee composed of the members from the county of Chittenden, to which was referred the bill from the Senate entitled "an act laying a tax on the County of Chittenden;" reported the same without amendment, and said bill was read the second time, and amended on motion of Mr. Parker,

When

The House adjourned.

AFTERNOON.

(S. 47.) The House resumed the consideration of the bill from the Senate entitled "an act laying a tax on the County of Chittenden," which was

pending at the adjournment this forenoon, and said bill was further amended.

Ordered, That said bill be read the third time.

(H. 156.) Mr. Davis of Norwich, on leave, introduced a bill entitled "an act to pay the claims against the State Prison."

Which was read the first time and referred to the Committee on the State Prison, with instructions to report thereon tomorrow morning.

(H. 157.) Mr. Denison of Hartland, on leave, introduced a bill entitled "an act relative to the assessing of taxes by school districts."

Which was read the first time and referred to the Committee on Education.

Mr. Wardner introduced the following resolution:

Resolved, by the Senate and House of Representatives, That the Auditor of Accounts be directed to continue his investigations into the defective accounting in the Treasury Department, and, in conjunction with the Treasurer, enforce collections of all unsettled balances, where practicable, and that the Committee of Claims audit his accounts.

Which was read and passed.

(H. 158.) Mr. Davis of Norwich, on leave, introduced a bill entitled "an act to repeal an act relative to imprisonment for debt."

Which was read the first time, and ordered to lie on the table.

(S. 2.) Mr. Woodbridge, from the Judiciary Committee, to which was referred the bill from the Senate entitled "an act to repeal the 22d section, Chapter 58, of the Revised Statutes," reported the same without amendment, and said bill was read the second time.

Ordered, That it be read the third time tomorrow afternoon.

(H. 118.) On motion of Mr. Wardner, the House proceeded to consider the bill entitled "an act to incorporate the Ascutney Bank," which was pending at the adjournment on the 3d instant.

Mr. Davis of Norwich, with consent of the House, withdrew his motion to dismiss said bill.

And the question was stated, shall the bill be engrossed and read the third time?

On which question the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Aiken,	Clark,	Fullerton,
Aldrich,	Cobb of Tinmouth,	Gay,
Bailey of Lemington,	Cummings,	Graves,
Ball,	Cushman,	Green,
Barber of Enosburgh,	Davis of Baltimore,	Harris of Windham,
Barton,	Denison of Hartland,	Hill,
Billings,	Dustin,	Hinds,
Bliss,	Eames,	Holcomb,
Bogue,	Edmonds,	Holden,
Bottum,	Ellis,	Hollister of Pawlet,
Bowman,	Emery,	Howard of Andover,
Brooks,	Esty,	Howard of Benson,
Brown of Whiting,	Field,	Howe of Vernon,
Carpenter,	Foster of Tunbridge,	Howe of Williamstown,
Chamberlin,	Fox,	Jackson,

Janes,
Johnson,
Jones of Dover,
Keese,
Kellogg,
Kidder,
Kinsley,
Lackie,
Ladd of Grand Isle,
Leavenworth,
Lockwood,
Lyon,
Morrill of Canaan,
Morse,
Mott,
Newell,
Noyes,

Those who voted in

Adams,
Ambler,
Atwood,
Bacon,
Bailey of Elmore,
Baker,
Barr,
Barber of Pownal,
Barden,
Barney,
Bennett,
Boardman of Hydepar
Bowe,
Brackett,
Briggs,
Brigham,
Brown of Whitinghan
Bump,
Caldwell of Lincoln,
Caldwell of Mendon,
Charlton,
Clapp,
Cobb of Strafford,
Colby,
Colton,
Daniels,
Davis of Norwich,
Dewing,
Douglass of Richmon
Douglass of Waterbu
Eager,
Ellsworth,
Fish,
Flagg,
Flint of Braintree,

Wheeler of W
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A message,
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(S. 41.) Mr.
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pending at the Vinhall, Whitcomb, Wiley,
ed. Whitney, Willis,—111.

Ordered, Th cided in the negative, and said bill was rejected.

(H. 156.) Mr. in writing, was received from the Governor, by Mr. Hale, act to pay the c Civil and Military Affairs, which was read, as follows:

Which was r EXECUTIVE CHAMBER,
Prison, with ins Nov. 8, 1842.

(H. 157.) Mr. nform the House of Representatives that Elijah Farr Esq., "an act relativ elected State's Attorney for Orange County, declines to

Which was r pointment.
tion. CHARLES PAINE.

Mr. Wardner ANDREW TRACY,
aker of the House of Representatives.

Resolved, by Sprague, from the Committee on Roads, to which was re-
of Accounts be from the Senate entitled "an act relating to highways," re-
accounting in t e without amendment, and said bill was read the second
Treasurer, enf ble, and that th

Which was r at it be read the third time tomorrow afternoon.

(H. 158.) Mr. troduced the following resolutions:
act to repeal an egislature of this State did, at its last session, resolve, that

Which was r laws, as then existing, were defective and inefficient; and
ie Legislature did further resolve that our Senators in Con-
(S. 2.) Mr. W nstructed, and our Representatives requested, to use all
referred the bi means in their power to procure the passage of laws, which,
tion, Chapter 5 should guard against the numerous frauds and evasions
amendment, and practiced upon us by foreigners and foreign agents, and

Ordered, Tha should raise a revenue sufficient only for the necessary ex-
(H. 118.) On government, and should have a due regard to the particu-
the bill entitled of every section of our country; might give any protective
pending at the a preference to domestic over foreign products in our own

Mr. Davis of and might so discriminate between those which we could,
to dismiss said we could not produce at home, as to give a just, sure and

And the que encouragement to the industry of every American citizen.
third time? e Tariff law of the last session of Congress does not, in

On which que of this Legislature, afford such protection to the domestic
en, and were as f Vermont over foreign, especially upon our principal sta-

Those who vo as was contemplated by said resolutions, therefore,—

Aiken, *he Senate and House of Representatives*, That our Senators
Aldrich, instructed, and our Representatives be requested, to use
Bailey of Lemi means in their power to procure such a modification of said
Ball, all more effectually protect the wool-growing interest of
Barber of Enosb
Barton, at the Governor of this State be requested to furnish each
Billings, and Representatives in Congress with a copy of the fore-
Bliss, and resolutions.
Bogue, read and ordered to lie on the table, and made the order of
Bottum, evening.
Bowman,
Brooks, , from the Committee on Roads, to which was referred the
Brown of Whiti nstructing said Committee to inquire relative to the Win-
Carpenter, Company, whether auditors and commissioners have been
Chamberlin, id Turnpike; also whether unlawful toll has been taken
ny; also whether the public good requires a revision of

their rates of toll; reported that no action was required on said subjects, the laws now in force having provided a remedy.

(H. 60.) Mr. Sprague, from the same Committee, to which was referred a bill entitled "an act in relation to the Winooski Turnpike," reported that that said bill ought not to pass.

Mr. Cobb of Strafford moved to dismiss said bill; and the question being taken, it was decided in the negative.

Said bill was read the second time, and recommitted to said Committee on Roads, with instructions to report the same amended so as to repeal section *two* of the act of 1815, as mentioned in said bill.

A message from the Senate, by Mr. Clarke, their Secretary:

Mr. Speaker:—The Senate concur in passing the resolution relative to the law of the United States granting pensions to widows.

The Senate concur in passing bills of the titles following:

(H. 106.) "An act in amendment of 'an act laying a tax on the lands in Avery's Gore in Addison County.'"

(H. 128.) "An act in addition to Chapter 41 of the Revised Statutes."

(H. 134.) "An act to continue in force, and in amendment of, an act laying a tax on lands in Goshen."

The Senate have passed bills of the following titles, in which they request the concurrence of the House of Representatives, namely:

(S. 58.) "An act in alteration to Chapter 21 of the Revised Statutes."

(S. 65.) "An act in addition to 'an act to incorporate the Goshen Turnpike Company.'"

(S. 66.) "An act fixing the time for holding the County Courts in the Counties of Chittenden and Lamoille."

(S. 67.) "An act altering the third and fifth Judicial Circuits."

(S. 69.) "An act providing for a Geological Survey of the State."

The House adjourned.

EVENING.

(H. 159.) Mr. Foster of Berlin, on leave, introduced a bill entitled "an act for the relief of Rhoda A. M. Edson."

Which was read the first time and referred to the Committee on Education.

(H. 160.) Mr. Colby, on leave, introduced a bill entitled "an act in amendment of section 2 of Chapter 43 of the Revised Statutes."

Which was read the first time and referred to the Judiciary Committee.

(S 58.) The bill from the Senate entitled "an act in alteration of Chapter 21 of the Revised Statutes," was read the first time and referred to the Committee on Roads.

(S. 65.) The bill from the Senate entitled "an act in addition to an act to incorporate the Goshen Turnpike Company" was read the first and second time, and referred to the Committee on Roads.

(S. 66.) The bill from the Senate entitled "an act fixing the time for holding the County Courts in the Counties of Chittenden and Lamoille," was read the first and second time, and referred to the General Committee.

(S. 67.) The bill from the Senate entitled "an act altering the third and fifth Judicial Circuits," was read the first time.

And on the question, shall the bill be read the second time? it was decided in the negative.

And said bill was rejected.

(H. 130.) Mr. Bailey of Elmore, from the General Committee, to which was referred the bill entitled "an act relating to the election of Representatives to Congress," reported the same with amendments, which were adopted, and said bill was read the second time.

Ordered, That it be engrossed and read the third time tomorrow afternoon.

(H. 121.) Mr. Bailey of Elmore, from the same Committee, to which was referred the bill entitled "an act in addition to Chapter 77 of the Revised Statutes," reported the same with amendments, which were adopted, and said bill was read the second time.

Ordered, That it be engrossed and read the third time tomorrow afternoon.

Mr. Warduer, from the Committee of Ways and Means, reported the following bills:

(H. 161.) "An act making appropriations for the support of government."

(H. 162.) "An act assessing a tax for the support of government."

(H. 163.) "An act authorizing the Treasurer to borrow the sum therein mentioned."

(H. 164.) "An act to pay the Convention called by the Council of Censors."

Which were severally read the first and second time, and ordered to be engrossed and read the third time tomorrow afternoon.

Mr. Holden introduced the following resolution:

Resolved, That the General Committee be instructed to inquire into the expediency of reducing the price now paid jail keepers for fuel, diet and washing for state prisoners and town paupers.

Which was read and passed.

(S. 47.) The bill from the Senate entitled "an act laying a tax on the County of Chittenden" was read the third time and passed.

Mr. Simonds, from the Committee composed of the members from Orleans County, to which was referred the petition of S. Lane and others, of Orleans, praying to be set off to Newport, reported adversely to the same; which report was concurred in.

Ordered, That the petitioners have leave to withdraw their petition.

(H. 141.) Mr. Simonds, from the same Committee, to which was referred the bill entitled "an act annexing a part of the town of Orleans to the town of Newport," reported that said bill ought not to pass.

Mr. Guild moved to dismiss said bill; and the question being taken, it passed in the affirmative.

(H. 14.) Mr. Cushman, from the Committee on Military Affairs, to which was referred the bill entitled "an act to pay William Maxham the sum therein mentioned," reported the same with an amendment, which was adopted, and said bill was read the second time.

Ordered, That it be engrossed and read the third time.

(H. 51.) Mr. Cushman, from the same Committee, to which was referred the bill entitled "an act in alteration of the laws regulating and governing the militia," reported that said bill ought not to pass.

And said bill was dismissed, on motion of Mr. Lockwood.

(H. 38.) Mr. Cushman, from the same Committee, to which was referred the bill entitled "an act in addition to 'an act in addition to the several acts regulating and governing the militia of this State," reported that said bill ought not to pass.

Mr. Moore moved to dismiss said bill; and the question being put, it passed in the affirmative.

On motion of Mr. Cushman, said Committee was excused from further considering the resolution, for exempting one horse belonging to each member of the cavalry, and to each brigade and regimental officer, from taxes.

(H. 91.) Mr. Cushman, from the same Committee, to which was referred the bill entitled "an act to pay Emery Melendy the sum therein mentioned," reported the same with an amendment, which was adopted, and said bill was read the second time.

Ordered, That it be engrossed and read the third time.

Mr. Cushman, from the same Committee, to which was referred the Report of the Quarter Master General, reported that no action is required thereon; which report was concurred in.

(H. 43.) Mr. Van Sicklen, from the Committee of Claims, to which was referred the bill entitled "an act to pay Sylvanus Ripley the sum therein mentioned," reported that said bill ought not to pass.

Mr. Graves moved to dismiss said bill; and the question being taken, it passed in the affirmative.

(H. 148.) Mr. Woodbridge, from the Judiciary Committee, to which was referred the bill entitled "an act in addition to Chapter 77 of the Revised Statutes, for the collection of taxes," reported the same without amendment, and said bill was read the second time.

Ordered, That it be engrossed and read the third time tomorrow afternoon.

(H. 146.) Mr. Vilas, from the same Committee, to which was referred the bill entitled "an act in relation to the collection of taxes," reported that said bill ought not to pass.

And the bill was dismissed, on motion of Mr. Graves.

(H. 136.) Mr. Vilas, form the same Committee, to which was referred the bill entitled "an act relating to paupers," reported that the same ought not to pass.

And said bill was dismissed, on motion of Mr. Moore.

On motion of Mr. Colby, the same Committee was discharged from the further consideration of the resolution, instructing said Committee to inquire into the necessity and expediency of more explicitly defining the

duties of collectors, in reference to the collection of taxes assessed on non-resident lands.

(H. 151.) Mr. Colby, from the same Committee, to which was referred the bill entitled "an act to punish offences against public and private property," reported that said bill ought not to pass.

Which report was concurred in, and said bill was dismissed.

(H. 165.) Mr. Colby, from the same Committee, to which was referred the petition of John Lynde and others, praying for a law to prevent the defacing of property, public or private, reported a bill entitled "an act in addition to Chapter 95 of the Revised Statutes," which was read the first and second time.

Ordered, That said bill be engrossed and read the third time tomorrow afternoon.

(H. 3.) Mr. Canfield, from the same Committee, to which was referred the bill entitled "an act in amendment of section 63 of Chapter 28 of the Revised Statutes," reported the same with amendments; which amendments were disagreed to by the House; and said bill was read the second time, and amended.

Mr. Noyes moved to reconsider the vote disagreeing to the amendments reported by said Committee; and the question being taken, was decided in the negative.

On motion of Mr. Cobb of Strafford,

Ordered, That said bill lie on the table, and be made the order of the day for tomorrow morning.

(S. 69.) The bill from the Senate entitled "an act providing for a Geological Survey of the State," was read the first time.

Mr. Shafter moved that said bill lie on the table and be made the order of the day for tomorrow evening.

And on the question, will the House order the bill, as thus moved? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Aiken,	Cushman,	Hollister of Pawlet,
Aldrich,	Daniels,	Howard of Andover,
Ambler,	Davis of Baltimore,	Howard of Benson,
Bailey of Elmore,	Douglass of Richmond,	Hyde,
Bailey of Lemington,	Douglass of Waterbury,	Johnson,
Ball,	Dustin,	Jones of Waitsfield,
Barber of Enosburgh,	Eames,	Kellogg,
Barber of Mount Holly,	Fish,	Kidder,
Bliss,	Flagg,	Kinsley,
Bogue,	Foster of Berlin,	Lamb,
Bottum,	Foster of Tunbridge,	Leavenworth,
Bowe,	Fox,	Lockwood,
Bowman,	Fullerton,	Moore,
Brackett,	Graves,	Naramore,
Caldwell of Lincoln,	Green,	Noyes,
Chamberlin,	Griggs,	Paddock,
Charlton,	Harris of Windham,	Park,
Clapp,	Harwood,	Parker,
Clark,	Henry,	Peake,
Cobb of Tinmouth,	Hinds,	Peck,
Colby,	Holden,	Pettibone,

Prentiss,
Rice,
Richardson,
Robbins,
Roscoe,
Russell,
Sanborn,
Sanford of Castleton,
Sanford of Cornwall,
Shafter,
Sheldon,
Simonds,
Skiff,
Slack,
Smeed,
Smith of Addison,
Smith of Barton,
Smith of Monkton,
Stoddard,
Towle,
Tracy,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Van Sicklen,
Wardner,
Warner,
Wheeler of Reading,
Whipple,
White,
Whitelaw,
Wiley,
Willis,
Winslow,—96.

Those who voted in the negative are, Messrs.

Adams,
Atwood,
Bacon,
Baker,
Barr,
Barber of Pownal,
Barney,
Billings,
Briggs,
Brigham,
Brown of Whitingham,
Bump,
Carpenter,
Cobb of Strafford,
Colton,
Davis of Norwich,
Edmonds,
Ellsworth,
Emery,
Field,
Flint of Lowell,
Folsom,
Fuller,
Glazier,
Grow,
Harris of Mansfield,
Hazen,
Hill,
Hodgkins,
Holcomb,
Hollister of Marshfield,
Howe of Vernon,
Howe of Williamstown,
Ingalls,
Janes,
Jewett,
Keith,
Kent,
Kibby,
Ladd of Grand Isle,
May,
McLoud,
Moon,
Morrill of Danville,
Mott,
Needham,
Niles,
Norris,
Page of Corinth,
Page of Plainfield,
Page of Westminster,
Perry,
Pope,
Rowell,
Scott,
Shattuck,
Small,
Soule,
Spalding,
Sprague,
Stanton,
Taylor,
Tyler,
Vilas,
Webster of Cabot,
Welch,
Wells,
Wheeler of Winhall,
Whitney,—69.

So it passed in the affirmative.

The House adjourned.

WEDNESDAY, NOV. 9, 1842.

Prayer by Rev. E. J. Scott.

Leave of absence for the remainder of the session, from and after tomorrow, was granted to Mr. Willis, the representative from the town of Kirby.

Mr. Prentiss introduced the following resolution:

Resolved, by the Senate and House of Representatives, That the joint resolution, heretofore adopted on the 7th instant, providing for an adjournment of the Legislature on Friday next, at five o'clock in the forenoon, be and hereby is rescinded, and that both Houses do adjourn on Wednesday next at five o'clock in the forenoon, without day.

Which was read.

And on the question, shall the resolution pass? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Aiken,	Goodsill,	Noyes,
Aldrich,	Gould,	Page of Corinth,
Ambler,	Green,	Page of Plainfield,
Bailey of Lemington,	Griggs,	Park,
Baker,	Grow,	Peake,
Ball,	Guild,	Peck,
Barney,	Harris of Mansfield,	Perkins,
Barton,	Hartshorn,	Pope,
Blake,	Harwood,	Prentiss,
Bogue,	Hazen,	Rice,
Bowe,	Hinds,	Robbins,
Bowman,	Hodgkins,	Roscoe,
Brooks,	Holcomb,	Russ,
Bump,	Holden,	Russell,
Caldwell of Lincoln,	Hollister of Marshfield,	Sanborn,
Carpenter,	Howe of Vernon,	Sanford of Castleton,
Chamberlin,	Jackson,	Shafter,
Charlton,	Jones of Waitsfield,	Slack,
Cobb of Tinmouth,	Keese,	Small,
Colby,	Keith,	Smith of Hinesburgh,
Colton,	Kellogg,	Spalding,
Cummings,	Kent,	Stark,
Cushman,	Kinsley,	Taylor,
Daniels,	Lackie,	Turner,
Davis of Baltimore,	Ladd of Wolcott,	Van Sicklen,
Denison of Hartland,	Leavenworth,	Vilas,
Douglass of Waterbury,	Lockwood,	Walker,
Eames,	Marshall,	Wardner,
Ellis,	McFarland,	Webster of Cabot,
Esty,	McLoud,	Welch,
Field,	Moon,	Wells,
Fish,	Moore,	Whipple,
Flint of Lowell,	Morrill of Canaan,	Whitcomb,
Folsom,	Morrill of Danville,	Whitelaw,
Foster of Berlin,	Morse,	Wiggins,
Fox,	Mott,	Winslow,
Fuller,	Norris,	Woodbridge,—112.
Fullerton,		

Those who voted in the negative are, Messrs.

Adams,	Barr,	Bennett,
Atwood,	Barber of Enosburgh,	Billings,
Austin,	Barber of Pownal,	Bliss,
Bacon,	Barden,	Boardman of Hydepark,

Bottum,
Brackett,
Briggs,
Brigham,
Brown of Whiting,
Brown of Whitingham,
Clapp,
Cooper,
Davis of Norwich,
Dewing,
Douglass of Richmond,
Dustin,
Eager,
Eaton,
Edmonds,
Ellsworth,
Emery,
Flagg,
Flint of Braintree,
Foster of Tunbridge,
French,
Gay,
Glazier,
Gove,
Graves,
Harris of Windham,
Henry,
Hill,
Hollister of Pawlet,
Houghton,
Howard of Andover,
Howe of Williamstown,
Hyde,
Ingalls,
Janes,
Jewett,
Johnson,
Jones of Dover,
Judson,
Kibby,
Kidder,
Ladd of Grand Isle,
Lamb,
Lyon,
Martindale,
May,
Naramore,
Needham,
Newell,
Niles,
Paddock,
Page of Westminster,
Perry,
Pettibone,
Powell,
Richardson,
Ross,
Rowell,
Sanford of Cornwall,
Scott,
Shattuck,
Sheldon,
Skiff,
Smeed,
Smith of Addison,
Smith of Barton,
Smith of Monkton,
Soule,
Sprague,
Stanton,
Stoddard,
Taplin,
Towle,
Tracy,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Tyler,
Warner,
Webster of Colchester,
Wheeler of Reading,
Wheeler of Winhall,
Wheelock,
White,
Whitney,
Wiley,
Willis,—98.

So it passed in the affirmative.

Leave of absence was granted to Mr. Bottum, the representative from the town of Orwell, for the remainder of the session from and after to-day; and to Mr. Wheelock, the representative from the town of Shaftsbury, and to Mr. Houghton, the representative from the town of Stamford, from and after Friday next.

On motion of Mr. Davis of Norwich, the report of the Commissioners of the Deaf and Dumb, of the Blind, and of the Insane, which had been communicated by the Governor for the use of the General Assembly, was taken up.

Ordered, That the Clerk transmit the said report to the Senate.

Bills from the Senate, of the following titles, were severally read the third time and passed in concurrence, namely:

(S. 61.) "An act relating to the Bank of Windsor."

(S. 29.) "An act in addition to Chapter 44 of the Revised Statutes."

(S. 40.) "An act for surveying and ascertaining the boundary line between the Counties of Bennington and Windham."

A message from the Senate, by Mr. Clarke, their Secretary:

Mr. Speaker:—The Senate have passed resolutions relating to slavery, in which they request the concurrence of the House of Representatives.

The Senate have passed in concurrence the resolution instructing the Auditor of Accounts to prosecute his inquiries as to the defective accounting in the Treasury.

The Senate have passed bills of the following titles, in which they request the concurrence of the House, namely:

(S. 21.) "An act for the relief of Salma Davis and others."

(S. 56.) "An act defining the qualifications and rights of freemen, and for other purposes."

(H. 58.) The House proceeded to consider the bill entitled "an act in relation to the Militia," and said bill was read the first time, and amended.

The 2d clause of the *second* section, which section provides for exempting from military duty, was amended.

Said clause is as follows:

"2. Ministers of the gospel, faculties, students of colleges and academies, and teachers actually employed in common schools"

Said clause was amended by adding thereto the following words:

"And those of the religious denomination of Quakers, provided they shall conform to the provisions of the 4th section of Title I."

Mr. Smith of Addison moved to reconsider the vote adopting said amendment.

And on the question, will the House reconsider their said vote? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,	Ellis,	Noyes,
Aiken,	Esty,	Paddock,
Aldrich,	Field,	Park,
Atwood,	Flagg,	Parker,
Bailey of Elmore,	Flint of Lowell,	Peake,
Barr,	Foster of Tunbridge,	Peck,
Barber of Enosburgh,	Fox,	Perkins,
Barden,	French,	Perry,
Barney,	Fullerton,	Pope,
Blake,	Gay,	Powell,
Bliss,	Goodsill,	Prentiss,
Bogue,	Gove,	Roscoe,
Bowe,	Graves,	Ross,
Brackett,	Guild,	Russ,
Briggs,	Harris of Windham,	Russell,
Brooks,	Hinds,	Sanborn,
Bump,	Holden,	Sanford of Castleton,
Canfield,	Hollister of Marshfield,	Sanford of Cornwall,
Chamberlin,	Howe of Vernon,	Scott,
Charlton,	Howe of Williamstown,	Sheldon,
Clapp,	Hyde,	Simonds,
Clark,	Jackson,	Skiff,
Colby,	Jones of Waitsfield,	Slack,
Cummings,	Judson,	Smeed,
Daniels,	Keith,	Smith of Addison,
Davis of Baltimore,	Kellogg,	Smith of Barton,
Davis of Norwich,	Kidder,	Sprague,
Dewing,	Lackie,	Stanton,
Denison of Hartland,	May,	Stoddard,
Douglass of Waterbury,	Moore,	Taplin,
Dustin,	Morrill of Danville,	Tracy,
Eames,	Mott,	Tuttle of Sandgate,
Eaton,	Niles,	Van Sicklen,

Wardner,	Wheelock,	Whitelaw,
Warner,	Whipple,	Wiley,
Welch,	Whitcomb,	Winslow.
Wheeler of Reading,	White,	Woodbridge,—111.

Those who voted in the negative are, Messrs.

Ambler,	Gould,	Norris,
Bacon,	Griggs,	Page of Corinth,
Bailey of Lemington,	Grow,	Page of Plainfield,
Ball,	Hartshorn,	Page of Westminster,
Barber of Mount Holly,	Harwood,	Pettibone,
Barber of Pownal,	Hazen,	Rice,
Barton,	Henry,	Richardson,
Bennett,	Hill,	Robbins,
Billings,	Hodgkins,	Rowell,
Boardman of Hydepark,	Holcomb,	Shattuck,
Bowman,	Jewett,	Small,
Caldwell of Mendon,	Johnson,	Smith of Hinesburgh,
Carpenter,	Jones of Dover,	Soule,
Cobb of Strafford,	Keese,	Spalding,
Cobb of Tinmouth,	Kibby,	Stark,
Cooper,	Kinsley,	Taylor,
Cushman,	Ladd of Wolcott,	Towle,
Douglass of Richmond,	Lamb,	Turner,
Edmonds,	Leavenworth,	Tuttle of Weathersfield,
Ellsworth,	Lockwood,	Tyler,
Emery,	Lyon,	Walker,
Flint of Braintree,	Martindale,	Webster of Cabot,
Folsom,	McLoud,	Wheeler of Winhall,
Foster of Berlin,	Morrill of Canaan,	Whitney,
Fuller,	Morse,	Wiggins,—77.
Glazier,	Needham,	

So it passed in the affirmative.

And the question recurred, shall the proposed amendment to said *second* clause be adopted? and being taken, it was decided in the negative.

A message from the Senate, by Mr Clarke, their Secretary:

Mr. Speaker:—The Senate have passed the resolution from the House of Representatives for rescinding the resolution, passed on the 7th instant, for an adjournment of the two Houses on Friday next without day, and providing for an adjournment on Wednesday next.

(H. 143.) The Senate do not concur in passing the bill entitled "an act fixing the salary of the Secretary of Civil and Military Affairs."

Said bill (H. 58) was further amended,

When,

The House adjourned.

AFTERNOON.

(H. 58.) The House resumed the consideration of the bill entitled "an act in relation to the militia," which was pending at the adjournment this forenoon.

On motion of Mr. Canfield,

Ordered, That said bill lie on the table.

The Speaker announced the appointment of Mr. Chamberlin on the Committee on Education, in place of Mr. Bottum, who had obtained leave of absence.

Engrossed bills of the following titles were severally read the third time and passed, namely:

(H. 14.) "An act to pay William Maxham the sum therein mentioned."

(H. 91.) "An act to pay Emery Melendy the sum therein mentioned."

(H. 148.) "An act in addition to Chapter 77 of the Revised Statutes, relating to the collection of taxes."

(H. 161.) "An act making appropriations for the support of government."

(H. 162.) "An act assessing a tax for the support of government."

(H. 163.) "An act authorizing the Treasurer to borrow the sum therein mentioned."

(H. 164.) "An act making appropriations to pay the Convention called by the Council of Censors."

(H. 121.) "An act in addition to Chapter 77 of the Revised Statutes."

(H. 130.) "An act relating to the election of Representatives to Congress."

(S. 56.) The bill from the Senate entitled "an act defining the qualifications and rights of freemen, and for other purposes," was read the first and second time, and referred to the Judiciary Committee.

Mr. Rice, from the Committee to make up the Grand List, reported said List as made up and completed.

(S. 21.) The bill from the Senate entitled "an act for the relief of Salma Davis and others" was read the first time and referred to the Judiciary Committee.

(H. 145.) The engrossed bill entitled "an act in addition to, and in alteration of, 'an act relating to the Grand List,' approved November 11, 1841," was read the third time.

And on the question, shall the bill pass? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,	Barber of Enosburgh,	Bogue,
Aldrich,	Barber of Pownal,	Bowe,
Ambler,	Barden,	Bowman,
Atwood,	Barney,	Brackett,
Bacon,	Barton,	Briggs,
Bailey of Lemington,	Bennett,	Brooks,
Baker,	Billings,	Brown of Whiting,
Ball,	Blake,	Brown of Whitingham,
Barr,	Boardman of Hydepark,	Caldwell of Lincoln,

Charlton,
Clapp,
Clark,
Cobb of Strafford,
Cobb of Tinmouth,
Colby,
Colton,
Cooper,
Cummings,
Daniels,
Davis of Baltimore,
Davis of Norwich,
Dewing,
Denison of Hartland,
Douglass of Waterbury,
Dustin,
Eager,
Eames,
Eaton,
Edmonds,
Ellis,
Ellsworth,
Emery,
Esty,
Field,
Fish,
Flagg,
Flint of Braintree,
Folsom,
Foster of Berlin,
French,
Fuller,
Fullerton,
Gay,
Glazier,
Goodsill,
Gould,
Gove,
Graves,
Green,
Griggs,
Grow,
Guild,
Harris of Mansfield,
Hartshorn,
Henry,
Hill,
Hinds,
Holcomb,
Holden,
Hollister of Pawlet,
Houghton,
Howard of Andover,
Howard of Benson,
Howe of Vernon,
Howe of Williamstown,
Hyde,
Jackson,
Janes,
Johnson,
Jones of Waitsfield,
Judson,
Keese,
Keith,
Kellogg,
Kent,
Kibby,
Kidder,
Kinsley,
Lackie,
Ladd of Wolcott,
Lamb,
Leavenworth,
Lyon,
Marshall,
May,
McFarland,
McLoud,
Moon,
Moore,
Morrill of Canaan,
Morrill of Danville,
Morse,
Naramore,
Needham,
Newell,
Niles,
Norris,
Paddock,
Page of Plainfield,
Page of Westminster,
Park,
Parker,
Perry,
Pope,
Powell,
Prentiss,
Rice,
Richardson,
Chamberlin,
Robbins,
Roscoe,
Ross,
Rowell,
Russ,
Russell,
Sanborn,
Sanford of Castleton,
Sanford of Cornwall,
Scott,
Shafter,
Shattuck,
Sheldon,
Simonds,
Skiff,
Slack,
Small,
Smeed,
Smith of Addison,
Smith of Barton,
Smith of Hinesburgh,
Smith of Monkton,
Spalding,
Sprague,
Stanton,
Stark,
Taplin,
Taylor,
Towle,
Tracy,
Turner,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Walker,
Wardner,
Warner,
Webster of Cabot,
Welch,
Wells,
Wheeler of Reading,
Wheeler of Winhall,
Wheelock,
Whipple,
Whitcomb,
White,
Whitelaw,
Whitney,
Wiley,
Winslow,—177.
Hollister of Marshfield,

Those who voted in the negative are, Messrs.

Aiken,
Bailey of Elmore,
Brigham,
Carpenter,
Douglass of Richmond,
Flint of Lowell,

Fox,	Mott,	Vilas,
Harwood,	Noyes,	Webster of Colchester,
Ingalls,	Pettibone,	Wiggins,
Ladd of Grand Isle,	Van Sicklen,	Woodbridge,—19.
Lockwood,		

So it passed in the affirmative.

(H. 118.) Mr. Pettibone moved to reconsider the vote, by which the House yesterday refused to order to the third reading the bill entitled "an act to incorporate the Ascutney Bank."

Which motion was ordered to lie on the table, on motion of Mr. Vilas.

The petition of Ira B. Person and others, praying for the division of Windsor County, was referred to the members from said County.

(H. 165.) The engrossed bill entitled "an act in addition to Chapter 95 of the Revised Statutes" was read the third time.

Mr. Sprague moved to dismiss said bill; and the question being put was decided in the negative.

And on the question, shall the bill pass? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Aldrich,	Davis of Baltimore,	Janes,
Atwood,	Davis of Norwich,	Jones of Waitsfield,
Austin,	Dewing,	Keese,
Bacon,	Denison of Hartland,	Keith,
Bailey of Elmore,	Douglass of Waterbury,	Kellogg,
Baker,	Dustin,	Kibby,
Ball,	Eames,	Kidder,
Barr,	Eaton,	Kinsley,
Barber of Enosburgh,	Ellis,	Lackie,
Barber of Mount Holly,	Emery,	Ladd of Grand Isle,
Barber of Pownal,	Field,	Lamb,
Barden,	Fish,	Leavenworth,
Barton,	Flagg,	Lockwood,
Bennett,	Flint of Braintree,	Marshall,
Boardman of Hydepark,	Folsom,	Moore,
Bogue,	Foster of Berlin,	Morrill of Canaan,
Bowe,	Foster of Tunbridge,	Morrill of Danville,
Bowman,	Fullerton,	Mott,
Brackett,	Goodsill,	Newell,
Brigham,	Graves,	Niles,
Brown of Whiting,	Green,	Noyes,
Bump,	Griggs,	Paddock,
Canfield,	Grow,	Page of Plainfield,
Carpenter,	Harrington,	Page of Westminster,
Charlton,	Harris of Windham,	Park,
Clapp,	Harwood,	Peake,
Clark,	Hill,	Perkins,
Cobb of Strafford,	Hinds,	Perry,
Cobb of Tinmouth,	Holcomb,	Pettibone,
Colby,	Holden,	Pope,
Colton,	Hollister of Pawlet,	Powell,
Cummings,	Howe of Vernon,	Prentiss,
Daniels,	Hyde,	Rice,

Richardson,	Smith of Hinesburgh,	Wells,
Robbins,	Smith of Monkton,	Wheeler of Reading,
Roscoe,	Soule,	Wheeler of Winhall,
Ross,	Spalding,	Wheelock,
Russ,	Stark,	Whipple,
Russell,	Taylor,	Whitcomb,
Sanborn,	Tracy,	White,
Sanford of Castleton,	Tuttle of Weathersfield,	Whitelaw,
Scott,	Vilas,	Whitney,
Shafter,	Walker,	Wiggins,
Sheldon,	Wardner,	Wiley,
Skiff,	Warner,	Winslow.
Smith of Addison,	Webster of Cabot,	Woodbridge,—140.
Smith of Barton,	Webster of Colchester,	

Those who voted in the negative are, Messrs.

Adams,	Gove,	Morse,
Aiken,	Guild,	Naramore,
Ambler,	Harris of Mansfield,	Needham,
Bailey of Lemington,	Hartshorn,	Norris,
Barney,	Hazen,	Page of Corinth,
Billings,	Henry,	Parker,
Briggs,	Hodgkins,	Rowell,
Brooks,	Hollister of Marshfield,	Sanford of Cornwall,
Caldwell of Mendon,	Howard of Andover,	Shattuck,
Chamberlin,	Howard of Benson,	Simonds,
Cooper,	Howe of Williamstown,	Slack,
Cushman,	Ingalls,	Small,
Douglass of Richmond,	Jackson,	Smeed,
Eager,	Jewett,	Sprague,
Edmonds,	Johnson,	Stanton,
Ellsworth,	Judson,	Stoddard,
Esty,	Kent,	Taplin,
Flint of Lowell,	Ladd of Wolcott,	Towle,
Fox,	Lyon,	Turner,
French,	May,	Tuttle of Sandgate,
Fuller,	McFarland,	Van Sicklen,
Gay,	McLoud,	Welch,—68.
Glazier,	Moon,	

So it passed in the affirmative.

Bills from the Senate of the following titles were severally read the third time and passed, namely:

(S. 22.) "An act to repeal the 22d section, Chapter 58, of the Revised Statutes."

(S. 41.) "An act relating to highways."

Mr. Tracy, from the select committee, composed of the members from the County of Windsor, to which were referred the several petitions, praying for the division of the County of Windsor, and the several remonstrances against said division, reported that any action on the subject at this time is inexpedient, and that said committee recommend that the petitioners have leave to withdraw their petitions.

Which report was concurred in.

Ordered, That the petitioners have leave to withdraw their petitions.

Mr. Parker, from the Committee on Bills, reported that said Committee had this day presented to the Governor, for his approval and signature, bills of the titles following:

(S. 61.) "An act relating to the Bank of Windsor."

(S. 29.) "An act in addition to Chapter 44 of the Revised Statutes."

(S. 40.) "An act for surveying and ascertaining the boundary line between the Counties of Bennington and Windham."

(H. 119.) Mr. Prentiss, from the Judiciary Committee, to which was referred the bill entitled "an act relating to the punishment of capital crimes," reported that said bill ought not to pass.

Mr Graves moved to dismiss said bill.

And on the question, shall the bill be dismissed? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Atwood,	French,	Powell,
Barber of Enosburgh,	Glazier,	Prentiss,
Barber of Mount Holly,	Graves,	Roscoe,
Bogue,	Green,	Ross,
Bowe,	Guild,	Russ,
Briggs,	Harwood,	Russell,
Bump,	Henry,	Sanford of Castleton,
Caldwell of Lincoln,	Holden,	Sheldon,
Canfield,	Hollister of Marshfield,	Slack,
Chamberlin,	Howard of Benson,	Smeed,
Clark,	Howe of Vernon,	Smith of Hinesburgh,
Cooper,	Hyde,	Smith of Monkton,
Cummings,	Judson,	Taylor,
Davis of Baltimore,	Kellogg,	Tracy,
Dewing,	Lackie,	Tuttle of Weathersfield,
Denison of Hartland,	Lamb,	Tyler,
Douglass of Waterbury,	Lyon,	Wardner,
Edmonds,	May,	Warner,
Ellis,	Mott,	Welch,
Emery,	Newell,	Wheeler of Reading,
Esty,	Niles,	Wheeler of Winhall,
Field,	Noyes,	Wheelock,
Flagg,	Paddock,	Whitcomb,
Foster of Tunbridge,	Park,	Whitelaw,
Fox,	Perkins,	Woodbridge,—75.

Those who voted in the negative are, Messrs.

Aiken,	Bennett,	Colby,
Ambler,	Billings,	Colton,
Austin,	Blake,	Cushman,
Bacon,	Bliss,	Daniels,
Bailey of Elmore,	Boardman of Hydepark,	Davis of Norwich,
Bailey of Lemington,	Bowman,	Douglass of Richmond,
Baker,	Brackett,	Dustin,
Ball,	Brigham,	Eager,
Barr,	Brooks,	Eames,
Barber of Pownal,	Caldwell of Mendon,	Ellsworth,
Barden,	Carpenter,	Flint of Braintree,
Barney,	Clapp,	Flint of Lowell,
Barton,	Cobb of Strafford,	Folsom,

Fuller,	Kinsley,	Scott,
Fullerton,	Ladd of Grand Isle,	Shattuck,
Gay,	Ladd of Wolcott,	Simonds,
Goodsill,	Leavenworth,	Skiff,
Gould,	Lockwood,	Small,
Gove,	Marshall,	Smith of Addison,
Griggs,	McFarland,	Smith of Barton,
Grow,	McLoud,	Soule,
Harrington,	Moon,	Spalding,
Harris of Mansfield,	Moore,	Sprague,
Harris of Windham,	Morrill of Canaan,	Stanton,
Hartshorn,	Morrill of Danville,	Stark,
Hazen,	Morse,	Stoddard,
Hill,	Naramore,	Taplin,
Hinds,	Needham,	Towle,
Hodgkins,	Norris,	Turner,
Holcomb,	Page of Corinth,	Tuttle of Sandgate,
Hollister of Pawlet,	Page of Plainfield,	Van Sicklen,
Howard of Andover,	Page of Westminster,	Vilas,
Howe of Williamstown,	Parker,	Walker,
Jackson,	Peake,	Webster of Cabot,
Janes,	Peck,	Webster of Colchester,
Jewett,	Pettibone,	Wells,
Johnson,	Rice,	Whipple,
Jones of Waitsfield,	Richardson,	White,
Keese,	Robbins,	Whitney,
Keith,	Rowell,	Wiggins,
Kent,	Sanborn,	Wiley,
Kibby,	Sanford of Cornwall,	Winslow,—126.

So it was decided in the negative.

Mr. Cushman moved to lay said bill on the table; and the question being taken, it was decided in the negative.

Said bill was read the second time; and it was

Ordered, That it be engrossed and read the third time tomorrow afternoon.

Mr. Fullerton, from the Committee on Bills, reported that said Committee had this day presented to the Governor, for his approbation and signature, bills of the following titles, namely:

(H. 134.) "An act to continue in force, and in amendment of, an act laying a tax on the lands in Goshen."

(H. 106.) "An act in amendment of an act laying a tax on the lands in Avery's Gore in Addison County."

(H. 128.) "An act in addition to Chapter 41 of the Revised Statutes."

(H. 90.) "An act altering the name of Elvira Patterson, and constituting her heir-at-law of Osee F. and Huldah Allen."

(H. 131.) "An act to amend 'an act to incorporate the President, Directors and Company of the Bank of Montpelier.'"

Mr. Davis of Norwich introduced the following resolution:

Resolved, That if any member of the House shall be absent, or shall neglect to vote, at any time when the yeas and nays shall be taken, (excepting on leave or by reason of sickness,) the Clerk shall note the same, and the Committee to make up the Debentures shall deduct therefrom the pay of such member for that day.

Which was read, and ordered to lie on the table, on motion of Mr. Cobb of Strafford.

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

MR. SPEAKER:—I am directed by His Excellency the Governor to announce to the House of Representatives, that he has this day approved and signed the following bills, namely:

(H. 90.) "An act altering the name of Elvira Patterson, and constituting her heir-at-law of Osee F. and Huldah Allen."

(H. 106.) "An act in amendment of an act laying a tax on the lands in Avery's Gore in Addison County."

(H. 131.) "An act to amend 'an act to incorporate the President, Directors and Company of the Bank of Montpelier.'"

(H. 134.) "An act to continue in force, and in amendment of, an act laying a tax on lands in Goshen"

(H. 128.) "An act in addition to Chapter 41 of the Revised Statutes."

Mr. Rice, from the Committee to make up the Grand List, to which was referred the resolution instructing said Committee to inquire whether the personal property has been appraised and set in the lists in the several towns in this state, reported that it was not possible for said Committee to make said inquiry, and asked that said Committee might be discharged from the further consideration of said resolution.

And the question being taken, the House agreed to said request, and discharged said Committee agreeably thereto.

(H. 147.) Mr. Vilas, from the Judiciary Committee, to which was referred the bill entitled "an act in addition to Chapter 29 of the Revised Statutes" reported the same without amendment, and said bill was read the second time.

Ordered, That it be engrossed and read the third time tomorrow afternoon.

(H. 83.) Mr. Vilas, from the same Committee, to which was referred the bill entitled "an act in relation to imprisonment for debt," reported that said bill ought not to pass.

Which report was concurred in and said bill was dismissed.

On motion of Mr. Bailey of Elmore, the General Committee was discharged from the further consideration of the resolution, instructing said Committee to inquire whether any legislation explanatory of, or in amendment of, the present listing law is required.

Resolutions from the Senate:

Resolved, by the Senate and House of Representatives,

1. That as the representatives of the people of the State of Vermont, we do protest against the admission into the Union of any State whose constitution tolerates domestic slavery, or the annexation of Texas, or any other territory in which slavery exists.

2. That we believe that Congress have the power, by the Constitution of the United States, to abolish Slavery and the slave trade in the District of Columbia and in the territories of the United States, and that if Congress refuse to abolish slavery in the District of Columbia, that the seat of the General Government ought to be removed from that District to a place where slavery and the slave trade does not and cannot exist.

3. That we believe Congress has the constitutional power to prohibit

the slave trade between the several states of this Union, and to make such laws as shall effectually prevent this trade, and ought to exercise this power.

4. That the Constitution of the United States ought to be amended, so as to prevent the existence and maintenance of slavery in the United States.

5. That our Senators in Congress be instructed and our Representatives be requested to present the foregoing resolutions to their respective Houses in Congress, and to use their influence to carry out the principles thereof.

6. That the Governor of this State be requested to transmit a copy of of the foregoing resolutions to each of our Senators and Representatives in Congress.

Which were read and passed.

The House adjourned.

EVENING.

(H. 71.) Mr. Pettibone, from the Committee of Claims, to which was referred the bill entitled "an act directing the Treasurer to credit the town of Guildhall the sum therein mentioned," reported that said bill ought not to pass.

A motion to dismiss said bill was made; which motion was lost.

On motion of Mr. Rice, said bill was ordered to lie on the table.

(H. 153.) Mr. Warner, from the Committee on Banks, to which was referred the bill entitled "an act in addition to 'an act in relation to Banks,' approved October 28, 1840," reported that said bill ought not to pass.

Mr. Kidder moved to dismiss said bill.

And on the question, shall the bill be dismissed? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Bailey of Elmore,	Emery,	Kellogg,
Barber of Mount Holly,	Field,	Kidder,
Bogue,	Foster of Tunbridge,	Lyon,
Bowe,	Fullerton,	Newell,
Bowman,	Guild,	Noyes,
Briggs,	Harrington,	Paddock,
Brown of Whiting,	Harris of Windham,	Peake,
Canfield,	Hinds,	Perry,
Carpenter,	Howard of Benson,	Powell,
Chamberlin,	Howe of Williamstown,	Prentiss,
Colby,	Hyde,	Richardson,
Cummings,	Jewett,	Roscoe,
Daniels,	Johnson,	Ross,
Dustin,	Jones of Waitsfield,	Russell,
Edmonds,	Keese,	Sanford of Castleton,

Sanford of Cornwall,	Smith of Addison,	Warner,
Shafter,	Smith of Hinesburgh,	Welch,
Skiff,	Stark,	Whipple,
Smeed,	Van Sicklen,	White,—57.

Those who voted in the negative are, Messrs.

Adams,	Fuller,	Page of Plainfield,
Ambler,	Gay,	Page of Westminster,
Bacon,	Glazier,	Park,
Bailey of Lemington,	Gould,	Peck,
Baker,	Graves,	Perkins,
Ball,	Green,	Pettibone,
Barr,	Griggs,	Pope,
Barber of Pownal,	Grow,	Rice,
Barden,	Harris of Mansfield,	Robbins,
Barney,	Harwood,	Rowell,
Barton,	Hazen,	Russ,
Bennett,	Henry,	Sanborn,
Billings,	Hill,	Scott,
Blake,	Hodgkins,	Shattuck,
Bliss,	Holcomb,	Sheldon,
Boardman of Hydepark,	Holden,	Slack,
Brackett,	Hollister of Marshfield,	Small,
Brigham,	Hollister of Pawlet,	Smith of Barton,
Brooks,	Houghton,	Smith of Monkton,
Brown of Whitingham,	Howard of Andover,	Soule,
Bump,	Ingalls,	Spalding,
Caldwell of Mendon,	Janes,	Sprague,
Charlton,	Keith,	Stanton,
Clapp,	Kibby,	Stoddard,
Cobb of Strafford,	Kinsley,	Taplin,
Cobb of Tinmouth,	Ladd of Grand Isle,	Tracy,
Colton,	Ladd of Wolcott,	Tuttle of Sandgate,
Davis of Baltimore,	Lamb,	Tuttle of Weathersfield,
Denison of Hartland,	Leavenworth,	Tyler,
Douglass of Richmond,	Lockwood,	Vilas,
Douglass of Waterbury,	Marshall,	Walker,
Eames,	May,	Wardner,
Eaton,	McFarland,	Webster of Colchester,
Ellis,	Moon,	Wells,
Ellsworth,	Moore,	Wheeler of Reading,
Esty,	Morrill of Danville,	Wheelock,
Fish,	Mott,	Whitcomb,
Flint of Braintree,	Needham,	Whitney,
Flint of Lowell,	Niles,	Wiggins,
Folsom,	Norris,	Wiley,
French,	Page of Corinth,	Winslow,—123.

So it was decided in the negative.

And said bill was read the second time.

Ordered, That it be engrossed and read the third time tomorrow afternoon.

(H. 156.) Mr, Shafter, from the Committee on the State Prison, to which was referred the bill entitled "an act to pay the claims of the State Pris-

on," reported said bill with amendments, which amendments were adopted, and the bill was read the second time.

Ordered, That it be engrossed and read the third time tomorrow afternoon.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—The Governor has anounced to the Senate that he has this day approved and signed bills of the following titles, namely:

(S. 29.) "An act in addition to Chapter 44 of the Revised Statutes."

(S. 40.) "An act for surveying and ascertaining the boundary line between the Counties of Bennington and Windham."

(S. 61.) "An act relating to the Bank of Windsor."

(S. 47.) The Senate concur in the amendments proposed by the House of Representatives to the bill entitled "an act laying a tax on the County of Chittenden."

(S. 73.) The Senate have passed a bill entitled "an act directing the Commissioner of the School Fund to concel demands against the University of Vermont," in which they request the concurrence of this House.

(H. 138.) The Senate do not concur in passing the bill entitled "an act regulating fees."

(H. 140.) Mr. Shafter, from the Committee on the State Prison, to which was referred the bill entitled "an act to pay the administrator of George W. Ellis' estate the sum therein mentioned," reported that said bill ought not to pass; and on his motion,

Said bill was dismissed.

(H. 48.) Mr. Shafter, from the same Committee, to which was referred the bill entitled "an act to pay Danforth & Lewis the sum therein mentioned," reported that said bill ought not to pass; and on his motion,

Said bill was dismissed.

On motion of Mr. Shafter, the same Committee was discharged from any further consideration of the resolution, instructing said Committee to inquire whether it is necessary to make an appropriation to pay the debts of the State Prison.

On motion of Mr. Shafter, the same Committee was discharged from the further consideration of the petition of the town of Burlington, praying for remuneration for expenses incurred in the support of certain paupers.

(H. 2.) Mr. Vilas, from the Judiciary Committee, to which was referred the bill entitled "an act to repeal 'an act in amendment of section 63 of Chapter 28 of the Revised Statutes,'" reported the same without amendment, and said bill was read the second time.

Ordered, That it be engrossed and read the third time tomorrow afternoon.

(H. 4.) Mr. Vilas, from the same Committee, to which was referred the bill entitled "an act regulating imprisonment for debt," reported that said bill ought not to pass.

Mr. McLoud moved to dismiss said bill; and the question being taken, it passed in the affirmative.

(H. 150.) Mr. Roscoe, from the Committee of Claims, to which was referred the bill entitled "an act to pay Chauncey Goodrich the sum

therein mentioned," reported the same without amendment, and said bill was read the second time.

Mr. Davis of Norwich moved to amend said bill, by striking out the words "*nine hundred and ten*" and inserting in the place thereof the words "*seven hundred;*" thereby to pay said Chauncey Goodrich seven hundred dollars for printing for the State two hundred snd ninety copies of the 13th volume of the Vermont Reports.

And the question being taken was decided in the affirmative.

Ordered, That said bill be engrossed and read the third time.

Mr. Vilas, from the Judiciary Committee, to which was referred the memorial of Churchill Sampson and others, upon the subject of imprisonment for debt, reported in favor of the prayer of said memorial.

And, on his motion,

Ordered, That said memorial lie on the table.

(H. 5.) Mr. Vilas, from the same Committee, to which was referred the bill entitled "an act to repeal 'an act in amendment of section 63 of Chapter 28 of the Revised Statutes," reported the same without amendment.

Mr. Bailey of Elmore moved to dismiss said bill; and the question being taken, it passed in the affirmative.

(S. 65.) Mr. Sprague, from the Committee on Roads, to whichwas referred the bill from the Senate entitled "an act in addition to an act to incorporate the Goshen Turnpike Company," reported the same without amendment, and said bill was read the second time, and ordered to be read the third time.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—The Senate have passed the following bills, in which they request the concurrence of the House of Representatives, namely:

(S. 71.) "An act in relation to the Militia."

(S. 51.) "An act to pay John S. Pettibone the sum therein mentioned."

(S. 58.) Mr. Sprague, from the Committee on Roads, to which was referred the bill from the Senate, entitled "an act in alteration of Chapter 21 of the Revised Statutes," reported the same without amendment, and said bill was read the second time.

Ordered, That it be read the third time tomorrow afternoon.

(S. 71.) The bill from the Senate entitled "an act in relation to the Militia," was read the first time, and, on motion of Mr. Rice, referred to a select committee of five, with instructions to report thereon tomorrow afternoon.

(S. 69.) The House proceeded to the order of the day, which was the bill from the Senate entitled "an act providing for a Geological Survey of the State."

Mr. Vilas moved an amendment to the *first* section of the bill, which section is as follows:

"SEC. 1. The Governor of this State is authorized to appoint some suitable person as commissioner, to make a geological survey of the State, under such directions and instructions, and for such compensation, as he he may think proper to give."

By striking out the words "*and for such compensation*," and adding after the word "*give*" the words, "*the compensation for all such services to be allowed by the Legislature, on due presentment of the same.*"

And on the question, will the House adopt the proposed amendment? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,
Aiken,
Aldrich,
Ambler,
Austin,
Bacon,
Bailey of Lemington,
Baker,
Barr,
Barber of Pownal,
Barney,
Bennett,
Billings,
Boardman of Hydepark,
Brackett,
Brigham,
Brown of Whitingham,
Cobb of Strafford,
Colton,
Davis of Norwich,
Douglass of Richmond,
Douglass of Waterbury,
Eaton,
Edmonds,
Ellsworth,
Emery,
Field,
Flint of Braintree,
Folsom,
Foster of Tunbridge,
French,
Fuller,
Gay,
Glazier,
Gould,
Griggs,
Grow,
Harris of Mansfield,
Hartshorn,
Hazen,
Hill,
Hodgkins,
Holcomb,
Hollister of Marshfield,
Houghton,
Howe of Williamstown,
Ingalls,
Jewett,
Keith,
Kent,
Kibby,
Kinsley,
Ladd of Grand Isle,
Ladd of Wolcott,
Lamb,
Marshall,
May,
McFarland,
McLoud,
Moon,
Morrill of Canaan,
Mott,
Naramore,
Newell,
Niles,
Norris,
Page of Corinth,
Page of Plainfield,
Page of Westminster,
Parker,
Peck,
Perkins,
Perry,
Pope,
Robbins,
Rowell,
Sanborn,
Scott,
Shattuck,
Small,
Soule,
Spalding,
Sprague,
Stanton,
Taylor,
Turner,
Tyler,
Vilas,
Walker,
Webster of Cabot,
Webster of Colchester,
Wells,
Whitcomb,
Whitney,
Wiggins,—95.

Those who voted in the negative are, Messrs.

Atwood,
Bailey of Elmore,
Ball,
Barber of Enosburgh,
Barber of Mount Holly,
Barden,
Barton,
Blake,
Bliss,
Bogue,
Bowe,
Bowman,
Briggs,
Brooks,
Brown of Whiting,
Caldwell of Lincoln,
Caldwell of Mendon,
Canfield,
Carpenter,
Chamberlin,
Clapp,
Clark,
Cobb of Tinmouth,
Colby,
Cummings,
Cushman,
Daniels,
Davis of Baltimore,
Dewing,
Denison of Hartland,
Dustin,
Eames,
Ellis,
Esty,
Fish,
Flagg,
Foster of Berlin,
Fox,
Fullerton,
Graves,
Green,
Guild,
Harrington,
Harris of Windham,
Harwood,
Henry,
Hinds,
Holden,

Hollister of Pawlet,	Powell,	Smith of Hinesburgh,
Howard of Andover,	Prentiss,	Smith of Monkton,
Howard of Benson,	Richardson,	Stark,
Hyde,	Roscoe,	Stoddard,
Johnson,	Ross,	Tracy,
Jones of Waitsfield,	Russ,	Tuttle of Sandgate,
Kellogg,	Russell,	Tuttle of Weathersfield,
Kidder,	Sanford of Castleton,	Van Sicklen,
Lackie,	Sanford of Cornwall,	Wardner,
Leavenworth,	Shafter,	Warner,
Lockwood,	Sheldon,	Welch,
Lyon,	Simonds,	Wheeler of Reading,
Moore,	Skiff,	Wheeler of Winhall,
Morrill of Danville,	Slack,	Whipple,
Noyes,	Smeed,	White,
Paddock,	Smith of Addison,	Whitelaw,
Peake,	Smith of Barton,	Winslow,—100.
Pettibone,		

So it was decided in the negative.

Mr. Noyes moved that said bill lie on the table, and be made the order of the day for tomorrow evening; and the question being taken, was decided in the negative.

Mr. Shafter moved an adjournment; which motion was lost.

Further amendments were moved to said bill, which were disagreed to by the House.

An adjournment was moved; which motion was decided in the negative.

Mr. Guild moved that said bill lie on the table, and be made the order of the day for tomorrow afternoon; which motion was decided in the negative.

Leave of absence for the remainder of the session was granted to Mr. Barden, the representative from Wells, from and after tomorrow, and to Mr. Judson, the representative from Sunderland, from and after Friday next.

Mr. Guild moved an adjournment; which motion was lost.

And after debate on said bill (S. 69) a motion was made to adjourn, which motion was lost.

And after further debate,

The House adjourned.

THURSDAY, Nov. 10, 1842.

Prayer by Rev. E. J. Scott.

Mr. Canfield introduced the following resolution:

Resolved, by the Senate and House of Representatives, That the General

Assembly adjourn on Monday morning next at five o'clock, and that the resolution, passed yesterday, to adjourn on Wednesday next, be rescinded.

Which was read and passed.

Leave of absence, for the remainder of the session, was granted to Mr. Barber of Pownal, and to Mr. Brown of Whitingham, from and after to-morrow; and to Mr. Park of Woodford, from and after today.

The Speaker announced the following appointments of committees:

(S. 71.) On the bill from the Senate entitled "an act in relation to the Militia," Messrs. Harrington, Cushman, Pettibone, Canfield, Rice.

Mr. Harwood on the Committee to make up the debentures of the House, in the place of Mr. Judson, who had obtained leave of absence.

On motion of Mr. Harrington, leave was granted to the select committee on the bill (S. 71) relating to the militia, to sit during the sessions of the House.

A message from the Senate, by Mr. Clarke, their Secretary:

Mr. Speaker:—The Senate concur with the House of Representatives in passing the resolution, rescinding the resolution passed yesterday for an adjournment without day of the two Houses on Wednesday next, and providing for an adjournment on Monday morning next.

(H. 95.) The Senate concur in passing the bill entitled "an act in addition to 'an act establishing the County Grammar School of the County of Caledonia in the town of Peacham,' passed October 27, 1795."

(H. 101.) The Senate concur in passing the bill entitled "an act relating to Banks," with proposals of amendment, in which they request the concurrence of the House.

The Senate have passed bills of the following titles, in which they request the concurrence of this House, namely:

(S. 70.) "An act to pay Zadock Thompson the sum therein mentioned."

(S. 62.) "An act relating to Public Accounts."

(S. 69.) The House resumed the consideration of the bill from the Senate entitled "an act providing for a geological survey of the State," which was pending at the adjournment yesterday.

And the question was stated, shall the bill be read the second time?

On which question, the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Bailey of Elmore,	Cummings,	Harrington,
Barber of Enosburgh,	Cushman,	Harris of Windham,
Barber of Mount Holly,	Daniels,	Hartshorn,
Barton,	Davis of Baltimore,	Harwood,
Bliss,	Dewing,	Hinds,
Bogue,	Denison of Hartland,	Hollister of Pawlet,
Bowe,	Dustin,	Howard of Benson,
Bowman,	Eames,	Hyde,
Brooks,	Ellis,	Jackson,
Brown of Whiting,	Foster of Berlin,	Jones of Waitsfield,
Canfield,	Fox,	Judson,
Chamberlin,	Fullerton,	Kellogg,
Clark,	Graves,	Kidder,
Colby,	Green,	Leavenworth,
Cooper,	Guild,	Lockwood,

Moore,
Morse,
Mott,
Noyes,
Paddock,
Park,
Pettibone,
Prentiss,
Roscoe,
Ross,
Russ,
Russell,
Sanford of Castleton,
Sanford of Cornwall,
Shafter,
Simonds,
Skiff,
Smeed,
Smith of Addison,
Smith of Hinesburgh,
Stark,
Tracy,
Van Sicklen,
Wardner,
Warner,
Wheeler of Reading,
Whipple,
White,
Woodbridge,—74.

Those who voted in the negative are, Messrs.

Adams,
Aiken,
Aldrich,
Ambler,
Atwood,
Austin,
Bacon,
Bailey of Lemington,
Baker,
Ball,
Barr,
Barber of Pownal,
Barney,
Bennett,
Billings,
Blake,
Boardman of Hydepark,
Brackett,
Bradley,
Brigham,
Brown of Whitingham,
Bump,
Caldwell of Lincoln,
Caldwell of Mendon,
Carpenter,
Charlton,
Clapp,
Cobb of Strafford,
Cobb of Tinmouth,
Colton,
Davis of Norwich,
Douglass of Richmond,
Douglass of Waterbury,
Eager,
Eaton,
Edmonds,
Ellsworth,
Emery,
Esty,
Field,
Fish,
Flagg,
Flint of Braintree,
Flint of Lowell,
Folsom,
Foster of Tunbridge,
French,
Fuller,
Gay,
Glazier,
Goodsill,
Gould,
Gove,
Griggs,
Grow,
Harris of Mansfield,
Hazen,
Henry,
Hill,
Hodgkins,
Holcomb,
Holden,
Hollister of Marshfield,
Houghton,
Howard of Andover,
Howe of Vernon,
Howe of Williamstown,
Ingalls,
Janes,
Jewett,
Johnson,
Keese,
Keith,
Kent,
Kibby,
Kinsley,
Lackie,
Ladd of Grand Isle,
Ladd of Wolcott,
Lamb,
Lyon,
Marshall,
Martindale,
May,
McFarland,
McLoud,
Moon,
Morrill of Canaan,
Morrill of Danville,
Naramore,
Needham,
Newell,
Niles,
Norris,
Page of Corinth,
Page of Plainfield,
Page of Westminster,
Peck,
Perkins,
Perry,
Pope,
Powell,
Rice,
Richardson,
Robbins,
Rowell,
Sanborn,
Scott,
Shattuck,
Sheldon,
Slack,
Small,
Smith of Barton,
Smith of Monkton,
Soule,
Spalding,
Sprague,
Stanton,
Stoddard,
Taplin,
Taylor,
Towle,
Turner,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Tyler,

Vilas,	Wells,	Whitelaw,
Walker,	Wheeler of Winhall,	Whitney,
Webster of Cabot,	Wheelock,	Wiggins,
Webster of Colchester,	Whitcomb,	Winslow,—139.
Welch,		

So it was decided in the negative, and the House refused their concurrence in the passage of said bill.

The House adjourned.

AFTERNOON.

The Auditor of Accounts asked and obtained leave of absence from and after tomorrow.

Mr. Billings, the representative of Ludlow, obtained leave of absence for the remainder of the session, from and after tomorrow.

(H. 71.) On motion of Mr. Gould, the bill entitled "an act directing the Treasurer to credit the town of Guildhall the sum therein mentioned," was called up, and recommitted to the Committee of Claims.

Mr. Fullerton, from the Committee on Bills, reported that said Committee had this day presented to the Governor, for his approval and signature, bills of the following titles, namely:

(S. 47.) "An act laying a tax on the County of Chittenden."

(S. 2.) "An act to repeal the 22d section, Chapter 58, of the Revised Statutes."

(S. 41.) "An act relating to highways."

(S. 71.) Mr. Harrington, from the select Committee to which was referred the bill from the Senate entitled "an act in relation to the Militia," reported the same with amendments, which were adopted.

Sundry amendments were moved and disagreed to by the House.

And on the question, shall the bill be read the second time? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,	Bowman,	Charlton,
Aldrich,	Brackett,	Clark,
Atwood,	Bradley,	Cobb of Strafford,
Bacon,	Briggs,	Cobb of Tinmouth,
Ball,	Brigham,	Colby,
Barr,	Brooks,	Colton,
Barber of Enosburgh,	Brown of Whiting,	Cooper,
Barber of Mount Holly,	Brown of Whitingham,	Cummings,
Barton,	Bump,	Daniels,
Billings,	Caldwell of Lincoln,	Davis of Baltimore,
Blake,	Canfield,	Dewing,
Bogue,	Carpenter,	Denison of Hartland,
Bowe,	Chamberlin,	Douglass of Waterbury,

Dustin,
Eager,
Eames,
Eaton,
Edmonds,
Ellis,
Ellsworth,
Emery,
Esty,
Field,
Fish,
Flagg,
Flint of Lowell,
Foster of Tunbridge,
Fox,
French,
Fuller,
Fullerton,
Goodsill,
Gould,
Gove,
Graves,
Green,
Harrington,
Harris of Windham,
Hartshorn,
Harwood,
Hill,
Hinds,
Hollister of Marshfield,
Howard of Andover,
Howe of Vernon,
Howe of Williamstown,
Hyde,
Ingalls,
Jackson,
Jewett,
Johnson,
Jones of Waitsfield,
Keese,
Kellogg,
Kibby,
Kidder,
Ladd of Wolcott,
Lamb,
Leavenworth,
Lyon,
Marshall,
Martindale,
Moon,
Moore,
Morse,
Newell,
Noyes,
Paddock,
Page of Plainfield,
Page of Westminster,
Parker,
Peake,
Peck,
Perry,
Pettibone,
Pope,
Powell,
Prentiss,
Roscoe,
Ross,
Rowell,
Russ,
Sanborn,
Sanford of Castleton,
Sanford of Cornwall,
Scott,
Shafter,
Sheldon,
Simonds,
Skiff,
Smeed,
Smith of Addison,
Smith of Barton,
Smith of Monkton,
Sprague,
Stanton,
Stoddard,
Towle,
Tracy,
Turner,
Tuttle of Sandgate,
Van Sicklen,
Walker,
Wardner,
Warner,
Webster of Cabot,
Webster of Colchester,
Wells,
Wheeler of Reading,
Whitcomb,
White,
Whitelaw,
Wiley,
Winslow,—140.

Those who voted in the negative are, Messrs.

Aiken,
Ambler,
Austin,
Bailey of Elmore,
Bailey of Lemington,
Baker,
Barney,
Boardman of Hydepark,
Caldwell of Mendon,
Clapp,
Cushman,
Davis of Norwich,
Douglass of Richmond,
Flint of Braintree,
Folsom,
Gay,
Glazier,
Griggs,
Grow,
Guild,
Harris of Mansfield,
Hazen,
Henry,
Hodgkins,
Holcomb,
Hollister of Pawlet,
Howard of Benson,
Jones of Dover,
Keith,
Kinsley,
Ladd of Grand Isle,
Lockwood,
May,
McFarland,
McLoud,
Morrill of Canaan,
Morrill of Danville,
Mott,
Naramore,
Needham,
Niles,
Norris,
Page of Corinth,
Perkins,
Rice,
Richardson,
Robbins,
Russell,
Shattuck,
Slack,
Small,
Smith of Hinesburgh,
Soule,
Spalding,

Stark, Vilas, Whitney,
Taylor, Welch, Wiggins,
Tuttle of Weathersfield, Wheeler of Winhall, Woodbridge,—65
Tyler, Whipple,

So it passed in the affirmative, and said bill was read the second time.

And the question was stated, shall the bill be read the third time?

On which question, the yeas and nays, having been demanded, were taken and were as follows:

Those who voted in the affirmative are, Messrs.

Adams, Emery, Morse,
Aldrich, Esty, Newell,
Atwood, Field, Noyes,
Bacon, Fish, Paddock,
Ball, Flagg, Page of Plainfield,
Barr, Flint of Lowell, Page of Westminster,
Barber of Enosburgh, Foster of Berlin, Parker,
Barber of Mount Holly, Foster of Tunbridge, Peake,
Barton, Fox, Peck,
Billings, French, Perry,
Blake, Fuller, Pettibone,
Bogue, Fullerton, Powell,
Bowe, Goodsill, Prentiss,
Bowman, Gould, Roscoe,
Brackett, Gove, Ross,
Bradley, Graves, Rowell,
Briggs, Harrington, Russ,
Brigham, Harris of Windham, Sanborn,
Brooks, Hartshorn, Sanford of Castleton,
Brown of Whiting, Harwood, Sanford of Cornwall,
Brown of Whitingham, Hill, Shafter,
Bump, Hinds, Sheldon,
Caldwell of Lincoln, Hollister of Marshfield, Simonds,
Canfield, Howard of Andover, Skiff,
Carpenter, Howe of Vernon, Smeed,
Chamberlin, Howe of Williamstown, Smith of Addison,
Charlton, Hyde, Smith of Barton,
Clark, Ingalls, Smith of Monkton,
Cobb of Strafford, Jackson, Sprague,
Cobb of Tinmouth, Janes, Stanton,
Colby, Jewett, Stoddard,
Colton, Johnson, Taplin,
Cooper, Jones of Waitsfield, Towle,
Cummings, Keese, Tracy,
Daniels, Kellogg, Turner,
Davis of Baltimore, Kidder, Tuttle of Sandgate,
Dewing, Ladd of Wolcott, Walker,
Denison of Hartland, Lamb, Wardner,
Dustin, Leavenworth, Warner,
Eager, Lyon, Webster of Cabot,
Eames, Marshall, Webster of Colchester,
Edmonds, Martindale, Wells,
Ellis, Moon, Wheeler of Reading,
Ellsworth, Moore, Whitcomb,

White,	Wiley,	Winslow,—136.
Whitelaw,		

Those who voted in the negative are, Messrs.

Aiken,	Henry,	Perkins,
Ambler,	Hodgkins,	Rice,
Austin,	Holcomb,	Robbins,
Bailey of Elmore,	Hollister of Pawlet,	Russell,
Bailey of Lemington,	Howard of Benson,	Scott,
Baker,	Jones of Dover,	Shattuck,
Barney,	Keith,	Slack,
Boardman of Hydepark,	Kinsley,	Small,
Caldwell of Mendon,	Lackie,	Smith of Hinesburgh,
Clapp,	Ladd of Grand Isle,	Soule,
Cushman,	Lockwood,	Spalding,
Davis of Norwich,	May,	Stark,
Douglass of Richmond,	McFarland,	Taylor,
Flint of Braintree,	McLoud,	Tuttle of Weathersfield,
Folsom,	Morrill of Canaan,	Tyler,
Gay,	Morrill of Danville,	Vilas,
Glazier,	Mott,	Wheeler of Winhall,
Griggs,	Naramore,	Whipple,
Grow,	Needham,	Whitney,
Guild,	Niles,	Wiggins,
Harris of Mansfield,	Norris,	Woodbridge,—65.
Hazen,	Page of Corinth,	

So it passed in the affirmative, and said bill was read the third time.

And the question was stated, shall the bill pass? and being taken, was determined in the affirmative.

A message from the Senate, by Mr Clarke, their Secretary:

Mr. Speaker:—The Senate concur with the House of Representatives in passing bills of the following titles, namely:

(H. 148.) "An act in addition to Chapter 77 of the Revised Statutes, relating to the collection of taxes."

(H. 164.) "An act making appropriations to pay the Convention called by the Council of Censors."

(H. 163.) "An act authorizing the Treasurer to borrow the sum therein mentioned."

(H. 162.) "An act assessing a tax for the support of Government."

(H. 161.) "An act making appropriations for the support of government."

(H. 165.) "An act in addition to Chapter 95 of the Revised Statutes."

(H. 152.) "An act to incorporate the Branch Turnpike Company."

The Senate have passed bills of the following titles:

(S. 27.) "An act altering the 6th and defining the 32d section of the 45th Chapter of the Revised Statutes."

(S. 64.) "An act in alteration of section 6, Chapter 57, of the Revised Statutes."

(H. 91.) The Senate do not concur in passing the bill entitled "an act to pay Emery Melendy the sum therein mentioned."

(H. 166.) Mr. Cushman, on leave, introduced a bill entitled "an act in alteration of section 29 of Chapter 18 of the Revised Statutes."

Which was read the first and second time and referred to the Committee on Education.

(S. 73.) The bill from the Senate entitled "an act directing the Commissioner of the School Fund to cancel demands against the University of Vermont," was read the first time, and referred to the Committee on Education.

Mr. Dustin, the representative of Craftsbury, obtained leave of absence from and after tomorrow for the remainder of the session.

The following bills from the Senate were read the third time and passed, namely:

(S. 58.) "An act in alteration of Chapter 21 of the Revised Statutes."

(S. 65.) "An act in addition to 'an act to incorporate the Goshen Turnpike Company.'"

Engrossed bills of the following titles were severally read the third time and passed, namely:

(H. 2.) "An act to repeal 'an act in amendment of section 63 of Chapter 28 of the Revised Statutes."

(H. 156.) "An act to pay the claims against the State Prison."

(H. 147.) "An act in addition to Chapter 29 of the Revised Statutes."

(H. 150.) "An act to pay Chauncey Goodrich the sum therein mentioned."

(H. 153.) "An act in addition to 'an act relating to Banks' approved October 28, 1840."

A message from the Senate, by Mr. Clarke, their Secretary:

Mr. Speaker:—The Governor has announced to the Senate that he has this day approved and signed the following bills, namely:

(S. 2.) "An act to repeal the 22d section, Chapter 58, of the Revised Statutes."

(S. 41.) "An act relating to highways."

(S. 47.) "An act laying a tax on the County of Chittenden."

(H. 119.) The engrossed bill entitled "an act relating to the punishment of capital crimes," was read the third time.

And the question was stated, shall the bill pass?

On which question the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Ambler,	Cobb of Strafford,	Grow,
Bacon,	Colby,	Harrington,
Bailey of Elmore,	Colton,	Harris of Mansfield,
Bailey of Lemington,	Davis of Norwich,	Hazen,
Baker,	Douglass of Richmond,	Hill,
Ball,	Eager,	Hodgkins,
Barr,	Eames,	Holcomb,
Barton,	Eaton,	Hollister of Pawlet,
Bennett,	Ellsworth,	Howard of Andover,
Blake,	Flint of Braintree,	Howe of Williamstown,
Bliss,	Flint of Lowell,	Jewett,
Boardman of Hydepark,	Folsom,	Jones of Dover,
Bowman,	Fuller,	Jones of Waitsfield,
Brackett,	Gay,	Keese,
Brigham,	Gould,	Keith,
Brooks,	Gove,	Kibby,
Carpenter,	Griggs,	Kinsley,

Ladd of Grand Isle,
Ladd of Wolcott,
Lockwood,
Marshall,
McFarland,
McLoud,
Moon,
Moore,
Morrill of Canaan,
Morrill of Danville,
Morse,
Naramore,
Needham,
Norris,
Page of Corinth,
Page of Plainfield,
Page of Westminster,
Parker,
Peake,
Peck,
Perry,
Pettibone,
Pope,
Rice,
Richardson,
Robbins,
Rowell,
Sanborn,
Sanford of Cornwall,
Scott,
Shattuck,
Simonds,
Slack,
Small,
Smith of Addison,
Smith of Barton,
Smith of Monkton,
Soule,
Spalding,
Sprague,
Stanton,
Stark,
Stoddard,
Taplin,
Towle,
Turner,
Vilas,
Walker,
Webster of Cabot,
Webster of Colchester,
Wells,
Whipple,
White,
Whitney,
Wiley,
Winslow,—107.

Those who voted in the negative are, Messrs.

Adams,
Aiken,
Aldrich,
Atwood,
Barber of Enosburgh,
Barber of Mount Holly,
Bogue,
Bowe,
Briggs,
Bump,
Canfield,
Chamberlin,
Clapp,
Clark,
Cobb of Tinmouth,
Cooper,
Cummings,
Cushman,
Daniels,
Davis of Baltimore,
Dewing,
Denison of Hartland,
Douglass of Waterbury,
Edmonds,
Ellis,
Emery,
Esty,
Field,
Fish,
Flagg,
Foster of Berlin,
Foster of Tunbridge,
Fox,
Fullerton,
Glazier,
Goodsill,
Graves,
Green,
Guild,
Harris of Windham,
Hartshorn,
Harwood,
Henry,
Hinds,
Holden,
Hollister of Marshfield,
Howard of Benson,
Howe of Vernon,
Hyde,
Jackson,
Janes,
Johnson,
Kellogg,
Kidder,
Lackie,
Lamb,
Lyon,
May,
Mott,
Newell,
Niles,
Noyes,
Paddock,
Powell,
Prentiss,
Roscoe,
Ross,
Russ,
Russell,
Sanford of Castleton,
Shafter,
Sheldon,
Skiff,
Smeed,
Smith of Hinesburgh,
Taylor,
Tracy,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Tyler,
Wardner,
Warner,
Welch,
Wheeler of Reading,
Wheeler of Winhall,
Whitcomb,
Whitelaw,
Wiggins,
Woodbridge,—89.

So it passed in the affirmative.

(S. 70.) The bill from the Senate entitled "an act to pay Zadock

Thompson the sum therein mentioned," was read the first time and referred to the Committee on Education.

(S. 62.) The bill from the Senate entitled "an act relating to Public Accounts" was read the first time, and ordered to lie on the table.

(H. 153.) Mr. Woodbridge moved to reconsider the vote of this afternoon passing the bill entitled "an act in addition to 'an act relating to Banks' approved Octo. 28. 1840."

Which motion was ordered to lie on the table, on motion of Mr. Shafter.

The House adjourned.

EVENING.

The petition of Harvey Copeland was referred to the Judiciary Committee.

(H. 60.) Mr. Sprague, from the Committee on Roads, to which was referred the bill entitled "an act in relation to the Winooski Turnpike," with instructions to report a bill to repeal the second section of the act of 1815, referred to in said bill, reported a bill (H. 167) entitled "an act to repeal the second section of an act relating to the Winooski Turnpike," which was read the first time.

Mr. Winslow moved to dismiss said bill (H. 167); and the question being taken, it was decided in the negative.

And said bill was read the second time.

Ordered, That it be engrossed and read the third time.

Said bill (H. 60) was dismissed, on motion of Mr. Davis of Norwich.

Mr. Sprague, from the select committee to which were referred the petition of Thomas R. Robinson and others, and the petition of Jonathan Warner jr. and others, each praying for the enactment of a law forbidding the officers of this State to aid in any attempts to reclaim fugitive slaves, reported that the prayer thereof ought not to be granted; which report was concurred in.

Ordered, That the petitioners have leave to withdraw their petitions.

Mr. Sprague, from the same committee, to which were referred the memorial of Thomas H. Palmer and others, and the memorial of Joshua Atwood and others, upon the subject of slavery, reported that inasmuch as resolutions upon said subject matter had been passed, the committee recommended leave to the memorialists to withdraw their memorials; which report was concurred in.

Ordered, That the memorialists have leave to withdraw their memorials.

(H. 154.) Mr. Jones of Waitsfield, from the Committee on the State Library, to which was referred the bill entitled "an act fixing the salary of the Librarian," reported the same without amendment, and said bill was read the second time.

Ordered, That it be engrossed and read the third time tomorrow afternoon.

(H. 168.) Mr. Jones of Waitsfield, from the same Committee, reported a bill entitled "an act in relation to the State Library," which was read the first and second time.

Ordered, That said bill be engrossed and read the third time tomorrow afternoon.

Mr. Jones of Waitsfield, from the same Committee, reported the following resolution:

Resolved, by the Senate and House of Representatives, That at least five copies of each of the several reports, made by any committee or other officer to the Executive or either House and printed by their order, shall be deposited in the State Library; and after the members and several officers are each supplied with one copy, all the remaining copies shall be transmitted by the Sergeant-at-Arms to the Librarian, to be by him deposited in said Library for future reference.

Which was read and passed.

Mr. Jones of Waitsfield, from the same Committee, submitted the following report, which was read:

To the House of Representatives:

The joint committee appointed to examine into the condition &c. of the State Library, make report:

That during the year past the Librarian has been able to recover some forty volumes of the books, which were missing from the Library when the report was made by your committee one year ago. We further report that we find the Library, so far as we are able to judge, is kept in the very best manner.

H. JONES, *for Committee.*

Mr. Niles, from the Committee on Education, to which was referred the resolution, referring to said Committee so much of the Governor's message as relates to our schools, seminaries of learning, and the application of the School Fund, reported that any legislation thereon at this time is inexpedient.

(H. 159.) Mr. Webster of Colchester, from the same Committee, to which was referred the bill entitled "an act for the relief of Rhoda A. M. Edson," reported that no legislation on the subject matter of said bill is necessary.

On motion of Mr. Wardner, said bill was ordered to lie on the table.

(H. 157.) Mr. Niles, from the same Committee, to which was referred the bill entitled "an act relative to the assessing of taxes by school districts," reported that said bill ought not to pass.

Mr. Pettibone moved to dismiss said bill; and the question being taken, it passed in the affirmative.

Mr. Woodbridge, from the Judiciary Committee, to which was referred the petition of the Essex County Grammar School at Guildhall, for the restoration of certain lands formerly granted to the use of said school, reported that the prayer thereof ought not to be granted; which report was concurred in.

Ordered, That the petitioners have leave to withdraw their petition.

(H. 169.) Mr. Niles, from the Committee on Education, to which was referred the resolution, directing said Committee to inquire whether the law relating to the State school tax requires alteration, reported a bill entitled "an act in amendment of Chapter 18 of the Revised Statutes," which was read the first and second time.

Mr. Davis of Norwich moved to dismiss said bill; and the question being taken, it was decided in the negative

On motion of Mr. Cummings, said bill was ordered to lie on the table.

(H. 170.) Mr. Bailey of Elmore, from the General Committee, to which was referred the resolution, instructing said Committee to inquire into the expediency of repealing the 20th and 21st sections of Chapter 101 of the Revised Statutes, reported a bill entitled "an act in amendment of section 21 of Chapter 101 of the Revised Statutes," which was read the first time.

Mr. Graves moved to dismiss said bill; and the question being taken, it passed in the affirmative.

Mr. Bailey of Elmore, from the same Committee, to which was referred the petition of Joseph Wallis and others, praying for the repeal of the license laws, reported that the prayer thereof ought not to be granted; which report was concurred in.

Ordered, That the petitioners have leave to withdraw their petition.

(H. 120.) Mr. Bailey of Elmore, from the same Committee, to which was referred the bill entitled "an act in amendment of an act relating to the reporting of the decisions of the Supreme Court," reported the same with an amendment, which was adopted, and said bill was read the second time.

Ordered, That it be engrossed and read the third time tomorrow afternoon.

(H. 171.) Mr. Bailey of Elmore, from the same Committee, reported a bill entitled "an act altering the names of the persons therein mentioned," which was read the first and second time."

Ordered, That said bill be engrossed and read the third time.

Mr. Bailey of Elmore, from the same Committee, to which were referred the petition of Mary S Hurlburt, praying for the alteration of her name, and bills of the following titles:

(S. 13.) "An act altering the name of Gilman Sinclair."
(H. 155.) "An act altering the name of Sewall L. Fish."
(H. 97.) "An act to alter the name of William F. Blood."
(H. 29.) "An act to alter the name of William Hunter, Jr."
(H. 13.) "An act altering the names of certain persons therein named."

Reported that a bill (H. 171) had been reported by said Committee, embracing the subject matters of said bills and petition; and said bills (H. 13,) (H. 29,) (H. 97) and (H. 155) and said petition were dismissed, and the House refused to order to the third reading the bill (S. 13.)

(S. 66.) Mr. Bailey of Elmore, from the same Committee, to which was referred the bill from the Senate entitled "an act fixing the time for holding the County Courts in the Counties of Chittenden and Lamoille;" reported that the same ought not to pass.

And on the question, shall the bill be read the third time? it was decided in the negative.

And the House refused their concurrence in the passage thereof.

(S. 56.) Mr. Vilas, from the Judiciary Committee, to which was referred the bill from the Senate entitled "an act defining the qualifications and rights of freemen, and for other purposes," reported the same with an amendment, which was adopted.

Ordered, That said bill be read the third time tomorrow afternoon.

Mr. Vilas, from the same Committee, to which was referred the resolution, directing said Committee to inquire into the expediency and legality of assesing the betterments on public lands, asked that said Committee might be discharged from the further consideration thereof; and the question being put, it was decided in the affirmative.

(H. 112.) Mr. Vilas, from the same Committee, to which was referred the bill entitled "an act to equalize the privileges of the inhabitants of this State, and to remove odious distinctions between them," reported the same without amendment.

Mr. Russell moved to dismiss said bill; and the question being put was decided in the negative.

Said bill was read the second time.

Ordered, That it be engrossed and read the third time tomorrow afternoon.

(H. 125) Mr. Vilas, from the same Committee, to which was referred the bill entitled "an act to amend Chapter 29 of the Revised Statutes," reported that said bill ought not to pass.

Mr. Pettibone moved to dismiss said bill; and the question being taken, it passed in the affirmative.

(S. 21.) Mr. Vilas, from the same Committee, to which was referred the bill from the Senate entitled "an act for the relief of Salma Davis and others," reported the same without amendment.

And said bill was read the second and third time, and passed.

The House adjourned.

FRIDAY, NOV. 11, 1842.

Prayer by Rev. John Gridley.

Mr. Wardner, from the Committee of Ways and Means, to which was referred the resolution instructing said Committee to report a bill, more effectually to secure the prompt rendering of the accounts of all accounting officers, asked that said Committee might be discharged from the further consideration of said resolution; which motion was agreed to by the House.

Mr. Wardner, from the select committee to which was referred the res-

olution, introduced by Mr. Peck on the 21st ultimo, relative to the Tariff law, reported that said resolution ought not to pass.

On motion of Mr. Wardner, said resolution was ordered to lie on the table.

Mr. Wardner, from the Committee of Ways and Means, to which was referred the resolution referring to said Committee so much of the Governor's message as relates to the keeping of the public accounts, reported that no further action on the subject is necessary at this time.

Mr. Wardner, from the select committee to which was referred the resolution referring to committee so much of the Governor's message as relates to reform in our pecuniary affairs, reported that no further action on the subject is necessary at this time.

(H. 142.) The bill entitled "an act in addition to Chapter 80 of the Revised Statutes" was ordered to be engrossed and read the third time tomorrow morning.

(H. 35.) Mr. Rice, from the Committee to make up the Grand List, to which was referred the bill entitled "an act in addition to 'an act relating to the Grand List,' approved November 11, 1841," reported that the substance thereof had been incorporated in a bill reported by said Committee.

Ordered, That said bill lie on the table.

(H. 47.) Mr. Rice, from the same Committee, to which was referred the bill entitled "an act in addition to 'an act relating to the Grand List,' approved November 11, 1841," reported that said bill ought not to pass, the substance thereof having been inserted in a bill reported by said Committee.

Ordered, That said bill lie on the table.

(H. 103.) Mr. Vilas, from the Judiciary Committee, to which was referred the bill entitled "an act in addition to Chapter 13 of the Revised Statutes," reported against the passage thereof.

And said bill was dismissed.

Mr. Hyde, the representative of Cavendish, obtained leave of absence for the remainder of the session, from and after today.

Mr. Vilas, from the Judiciary Committee, to which was referred the petition of Jacob Carey, praying that he may be released from imprisonment, reported unfavorably to the prayer thereof; which report was concurred in.

Ordered, That the petitioner have leave to withdraw his petition.

The House proceeded to consider the resolution, introduced by Mr. Baker on the 22d ultimo, in relation to the neglect of the Assistant Clerk to discharge the duties of his office; and the same was dismissed, on motion of Mr. Woodbridge.

(H. 10.) The House took into consideration the bill entitled "an act in amendment of Chapter 107 of the Revised Statutes," which had been made the order of the day for the afternoon of the 3d instant.

Mr. Harrington moved to amend said bill by striking out the *first* section, which is as follows:

"§ 1. The annual salary of the Judges of the Supreme Court shall be one thousand two hundred dollars each, and it shall not be lawful for any Judge of the Supreme Court to demand or receive any fees for official services by him performed, either as Judge or Chancellor."

And on the question, shall the bill be thus amended? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Aldrich,	Fox,	Peake,
Austin,	Fullerton,	Perry,
Barber of Enosburgh,	Gould,	Pettibone,
Barney,	Gove,	Powell,
Bogue,	Graves,	Prentiss,
Briggs,	Green,	Roscoe,
Brooks,	Guild,	Ross,
Brown of Whiting,	Harrington,	Rowell,
Bump,	Harris of Windham,	Russ,
Caldwell of Lincoln,	Harwood,	Russell,
Canfield,	Henry,	Sanford of Castleton,
Carpenter,	Hinds,	Shafter,
Chamberlin,	Hollister of Pawlet,	Skiff,
Clapp,	Howard of Andover,	Slack,
Clark,	Janes,	Smeed,
Cobb of Tinmouth,	Johnson,	Smith of Barton,
Colby,	Jones of Waitsfield,	Smith of Hinesburgh,
Cummings,	Kidder,	Smith of Monkton,
Cushman,	Kinsley,	Sprague,
Daniels,	Leavenworth,	Stoddard,
Davis of Baltimore,	Lockwood,	Tracy,
Dewing,	Lyon,	Tuttle of Sandgate,
Denison of Hartland,	Martindale,	Tuttle of Weathersfield,
Eames,	Morrill of Danville,	Van Sicklen,
Edmonds,	Morse,	Wardner,
Ellis,	Mott,	Warner,
Emery,	Naramore,	Wheeler of Reading,
Esty,	Newell,	Whipple,
Fish,	Noyes,	White,
Folsom,	Paddock,	Winslow,
Foster of Berlin,	Parker,	Woodbridge,—94.
Foster of Tunbridge,		

Those who voted in the negative are, Messrs.

Adams,	Cobb of Strafford,	Griggs,
Bacon,	Colton,	Grow,
Bailey of Elmore,	Cooper,	Harris of Mansfield,
Bailey of Lemington,	Davis of Norwich,	Hartshorn,
Baker,	Douglass of Richmond,	Hill,
Ball,	Douglass of Waterbury,	Holcomb,
Barr,	Eager,	Hollister of Marshfield,
Barber of Mount Holly,	Eaton,	Howe of Vernon,
Bennett,	Ellsworth,	Howe of Williamstown,
Blake,	Field,	Ingalls,
Bliss,	Flint of Braintree,	Jackson,
Boardman of Hydepark,	Flint of Lowell,	Jewett,
Bowe,	French,	Jones of Dover,
Bowman,	Fuller,	Keese,
Brackett,	Gay,	Keith,
Brigham,	Glazier,	Kibby,
Charlton,	Goodsill,	Ladd of Grand Isle,

Ladd of Wolcott,
Lamb,
Marshall,
May,
McFarland,
McLoud,
Morrill of Canaan,
Needham,
Niles,
Norris,
Page of Corinth,
Page of Plainfield,
Page of Westminster,
Peck,
Perkins,
Pope,
Rice,
Richardson,
Robbins,
Sanborn,
Sanford of Cornwall,
Sheldon,
Simonds,
Small,
Soule,
Spalding,
Stanton,
Stark,
Taplir,
Taylor,
Towie,
Turner,
Tyler,
Vilas,
Walker,
Welch,
Wells,
Wheeler of Winhall,
Whitelaw,
Whitney,
Wiggins,—92.

So it passed in the affirmative.

And the question was stated, shall the bill be engrossed and read the third time? and being taken was decided in the negative.

And the bill was rejected.

(H. 73.) The House considered the bill entitled "an act to repeal 'an act relating to the Grand List,' approved November 11, 1841," which had been made the order of the day for Monday afternoon last.

Mr. Jones of Dover moved to dismiss said bill.

And on the question, shall the bill be dismissed? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,
Ambler,
Atwood,
Bacon,
Baker,
Ball,
Barber of Enosburgh,
Blake,
Bliss,
Bogue,
Bowe,
Bowman,
Brackett,
Brooks,
Brown of Whiting,
Bump,
Caldwell of Lincoln,
Caldwell of Mendon,
Canfield,
Charlton,
Clapp,
Clark,
Cobb of Strafford,
Cobb of Tinmouth,
Colby,
Colton,
Cooper,
Cummings,
Cushman,
Daniels,
Davis of Baltimore,
Davis of Norwich,
Douglass of Waterbury,
Eager,
Ellsworth,
Emery,
Esty,
Flagg,
Flint of Braintree,
Foster of Berlin,
Foster of Tunbridge,
French,
Fuller,
Fullerton,
Gay,
Gove,
Green,
Griggs,
Guild,
Harris of Windham,
Hartshorn,
Hazen,
Henry,
Hill,
Hinds,
Holcomb,
Hollister of Marshfield,
Howard of Andover,
Howe of Vernon,
Howe of Williamstown,
Janes,
Jewett,
Johnson,
Jones of Dover,
Jones of Waitsfield,
Keith,
Kellogg,
Kidder,
Ladd of Wolcott,
Lamb,
Leavenworth,
Lyon,
Martindale,
May,
McLoud,
Moon,
Moore,
Morrill of Danville,
Naramore,
Needham,
Newell,
Niles,
Norris,
Noyes,

Page of Plainfield,
Page of Westminster,
Perkins,
Perry,
Rice,
Richardson,
Robbins,
Roscoe,
Rowell,
Russ,
Russell,
Sanborn,
Sanford of Cornwall,
Shafter,
Sheldon,
Slack,
Small,
Smeed,
Smith of Barton,
Smith of Hinesburgh,
Smith of Monkton,
Spalding,
Sprague,
Stark,
Taylor,
Towle,
Turner,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Tyler,
Vilas,
Walker,
Webster of Cabot,
Welch,
Wells,
Wheeler of Reading,
Wheeler of Winhall,
Whitcomb,
White,
Whitney,
Wiley,
Winslow,—126.

Those who voted in the negative are, Messrs.

Aiken,
Aldrich,
Austin,
Bailey of Elmore,
Bailey of Lemington,
Barr,
Barber of Mount Holly,
Bennett,
Boardman of Hydepark,
Bradley,
Briggs,
Brigham,
Carpenter,
Chamberlin,
Dewing,
Denison of Hartland,
Douglass of Richmond,
Eames,
Eaton,
Field,
Fish,
Flint of Lowell,
Folsom,
Fox,
Glazier,
Goodsill,
Gould,
Graves,
Grow,
Harrington,
Harris of Mansfield,
Harwood,
Hodgkins,
Holden,
Hollister of Pawlet,
Ingalls,
Jackson,
Kibby,
Kinsley,
Ladd of Grand Isle,
Lockwood,
Marshall,
McFarland,
Morrill of Canaan,
Morse,
Mott,
Paddock,
Page of Corinth,
Peake,
Peck,
Pettibone,
Pope,
Powell,
Prentiss,
Ross,
Sanford of Castleton,
Scott,
Shattuck,
Simonds,
Skiff,
Soule,
Stanton,
Stoddard,
Taplin,
Tracy,
Van Sicklen,
Wardner,
Warner,
Webster of Colchester,
Whipple,
Whitelaw,
Wiggins,
Woodbridge,—73.

So it passed in the affirmative.

(H. 132.) The engrossed bill entitled "an act relating to Banks," which had been made the order of the day for Tuesday morning next, was considered.

Mr. Prentiss moved to dismiss said bill; and the question being taken, it passed in the affirmative.

(H. 36.) The House proceeded to consider the engrossed bill entitled "an act to incorporate the Orange County Bank."

Mr. Pettibone moved to lay said bill on the table.

On which question, the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Guild,
Harwood,
Hodgkins,
Lockwood,
Needham,
Pettibone,
Rowell,
Shattuck,
Sheldon,
Small,
Smith of Barton,—11.

Those who voted in the negative are, Messrs.

Aiken,
Aldrich,
Ambler,
Atwood,
Austin,
Bailey of Elmore,
Bailey of Lemington,
Baker,
Ball,
Barr,
Barney,
Bennett,
Blake,
Bliss,
Boardman of Hydepark,
Bogue,
Bowe,
Bowman,
Brackett,
Bradley,
Briggs,
Brigham,
Brooks,
Brown of Whiting,
Bump,
Caldwell of Mendon,
Canfield,
Carpenter,
Chamberlin,
Clapp,
Cobb of Strafford,
Colby,
Colton,
Cooper,
Cummings,
Cushman,
Daniels,
Davis of Baltimore,
Davis of Norwich,
Dewing,
Denison of Hartland,
Douglass of Richmond,
Douglass of Waterbury,
Eager,
Eames,
Eaton,
Edmonds,
Ellis,
Ellsworth,
Emery,
Esty,
Field,
Fish,
Flint of Braintree,
Flint of Lowell,
Folsom,
Foster of Berlin,
Foster of Tunbridge,
French,
Fuller,
Fullerton,
Gay,
Goodsill,
Gould,
Gove,
Graves,
Green,
Griggs,
Grow,
Harris of Mansfield,
Harris of Windham,
Hartshorn,
Hazen,
Hill,
Hinds,
Holcomb,
Holden,
Hollister of Marshfield,
Hollister of Pawlet,
Howard of Andover,
Howard of Benson,
Howe of Vernon,
Howe of Williamstown,
Ingalls,
Jackson,
Janes,
Jewett,
Jones of Dover,
Jones of Waitsfield,
Keith,
Kellogg,
Kibby,
Kidder,
Kinsley,
Lackie,
Ladd of Grand Isle,
Ladd of Wolcott,
Lamb,
Lyon,
Marshall,
Martindale,
May,
McFarland,
McLoud,
Moore,
Morrill of Canaan,
Morrill of Danville,
Morse,
Mott,
Naramore,
Newell,
Niles,
Norris,
Noyes,
Page of Corinth,
Page of Westminster,
Parker,
Peck,
Perry,
Powell,
Prentiss,
Rice,
Richardson,
Robbins,
Ross,
Russ,
Russell,
Sanborn,
Sanford of Castleton,
Sanford of Cornwall,
Scott,
Simonds,
Skiff,
Slack,
Smeed,
Smith of Hinesburgh,
Soule,
Spalding,
Sprague,
Stanton,

Stark,
Stoddard,
Taplin,
Taylor,
Towle,
Tracy,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Tyler,
Van Sicklen,
Vilas,
Walker,
Wardner,
Warner,
Webster of Cabot,
Welch,
Wells,
Wheeler of Reading,
Wheeler of Winhall,
Whipple,
Whitcomb,
White,
Whitney,
Wiggins,
Wiley,
Winslow,
Woodbridge,—167.

So it was decided in the negative.

And the question was stated, shall the bill pass?

On which question the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Aiken,
Aldrich,
Atwood,
Bailey of Elmore,
Bailey of Lemington,
Ball,
Barber of Enosburgh,
Blake,
Bliss,
Boardman of Hydepark,
Bogue,
Bowe,
Bowman,
Brackett,
Briggs,
Brooks,
Brown of Whiting,
Bump,
Caldwell of Lincoln,
Canfield,
Carpenter,
Chamberlin,
Clapp,
Clark,
Cobb of Strafford,
Cobb of Tinmouth,
Colby,
Cooper,
Cummings,
Cushman,
Daniels,
Davis of Baltimore,
Dewing,
Denison of Hartland,
Douglass of Richmond,
Douglass of Waterbury,
Eames,
Ellis,
Ellsworth,
Emery,
Esty,
Field,
Flagg,
Flint of Braintree,
Flint of Lowell,
Folsom,
Foster of Berlin,
Foster of Tunbridge,
Fullerton,
Goodsill,
Gould,
Graves,
Green,
Griggs,
Grow,
Harris of Mansfield,
Harris of Windham,
Hazen,
Henry,
Hill,
Hinds,
Holcomb,
Holden,
Hollister of Pawlet,
Howard of Andover,
Howe of Vernon,
Howe of Williamstown,
Jackson,
Janes,
Johnson,
Jones of Dover,
Jones of Waitsfield,
Keith,
Kibby,
Kidder,
Lackie,
Ladd of Wolcott,
Lamb,
Lyon,
Marshall,
May,
Moore,
Morrill of Canaan,
Morrill of Danville,
Morse,
Mott,
Newell,
Niles,
Noyes,
Page of Corinth,
Page of Plainfield,
Page of Westminster,
Peake,
Peck,
Perry,
Prentiss,
Richardson,
Robbins,
Roscoe,
Ross,
Russ,
Russell,
Sanford of Castleton,
Sanford of Cornwall,
Shafter,
Skiff,
Slack,
Smith of Hinesburgh,
Spalding,
Sprague,
Stoddard,
Taplin,
Taylor,
Towle,
Tracy,
Tuttle of Weathersfield,
Vilas,

Walker,	Whipple,	Wiggins,
Wardner,	Whitcomb,	Wiley,
Warner,	White,	Winslow,
Wells,	Whitelaw,	Woodbridge,—130.
Wheeler of Reading,		

Those who voted in the negative are, Messrs.

Austin,	Guild,	Scott,
Baker,	Harwood,	Shattuck,
Barr,	Leavenworth,	Sheldon,
Bennett,	Lockwood,	Small,
Bradley,	Martindale,	Smeed,
Brigham,	McFarland,	Soule,
Colton,	McLoud,	Stanton,
Davis of Norwich,	Naramore,	Tuttle of Sandgate,
Eaton,	Needham,	Tyler,
Edmonds,	Parker,	Van Sicklen,
French,	Pettibone,	Webster of Cabot,
Gay,	Powell,	Wheeler of Winhall,
Glazier,	Rowell,	Whitney,—41.
Gove,	Sanborn,	

So it passed in the affirmative.

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

Mr. Speaker:—I am directed by his Excellency the Governor to announce to the House of Representatives, that he has this day approved and signed bills of the following titles:

(H. 95.) "An act in addition to 'an act establishing the County Grammar School of the County of Caledonia, in the town of Peacham,' passed October 27, 1795."

(H. 152.) "An act to incorporate the Branch Turnpike Company."

(H. 148.) "An act in addition to Chapter 77 of the Revised Statutes, relating to the collection of taxes."

(H. 161.) "An act making appropriations for the support of Government."

(H. 162.) "An act assessing a tax for the support of Government."

(H. 163.) "An act authorizing the Treasurer to borrow the sum therein mentioned."

(H. 161.) "An act making appropriations to pay the Convention called by the Council of Censors"

(H. 165.) "An act in addition to Chapter 95 of the Revised Statutes."

(H. 118.) The House proceeded, on motion of Mr. Wardner, to the consideration of the motion made by Mr. Pettibone, on the 9th instant, to reconsider the vote by which the House, on the 8th instant, refused to order to the third reading the bill entitled "an act to incorporate the Ascutney Bank," which motion had been ordered to lie on the table.

And on the question, will the House reconsider their said vote rejecting said bill? the yeas and nays, having been demanded, were taken and were as follows:

Those who voted in the affirmative are, Messrs.

Aiken,	Brooks,	Canfield,
Barber of Enosburgh,	Brown of Whiting,	Carpenter,
Bowman,	Bump,	Chamberlin,

Clark,
C oper,
C mmings,
C hman,
Da is of Baltimore,
Dei ison of Hartland,
Ean es,
Ellis,
Em ry,
Esty,
Field,
Fish,
Foster of Tunbridge,
Fullerton,
Goodsill,
Graves,
Green,
Harris of Windham,
Hartshorn,
Hill,
Holcomb,
Holden,
Hollister of Pawlet,
Howard of Andover,
Howe of Vernon,
Janes,
Johnson,
Jones of Dover,
Keese,
Kinsley,
Ladd of Grand Isle,
Morse,
Mott,
Noyes,
Page of Corinth,
Peake,
Prentiss,
Robbins,
Roscoe,
Ross,
Rowell,
Russ,
Russell,
Sanborn,
Sanford of Castleton,
Sanford of Cornwall,
Shafter,
Simonds,
Skiff,
Slack,
Smeed,
Smith of Addison,
Smith of Barton,
Sprague,
Stoddard,
Towle,
Tracy,
Tuttle of Weathersfield,
Wardner,
Warner,
Welch,
Wheeler of Reading,
Wheeler of Winhall,
Whipple,
Wiley,
Winslow,
Woodbridge,—76.

Those who voted in the negative are, Messrs.

Adams,
Aldrich,
Ambler,
Atwood,
Austin,
Bacon,
Bailey of Elmore,
Bailey of Lemington,
Baker,
Barr,
Barber of Mount Holly,
Barton,
Bennett,
Blake,
Bliss,
Boardman of Hydepark,
Bogue,
Bowe,
Brackett,
Bradley,
Briggs,
Brigham,
Caldwell of Lincoln,
Caldwell of Mendon,
Charlton,
Clapp,
Cobb of Strafford,
Colby,
Colton,
Daniels,
Davis of Norwich,
Dewing,
Douglass of Richmond,
Douglass of Waterbury,
Eager,
Eaton,
Ellsworth,
Flagg,
Flint of Braintree,
Flint of Lowell,
Folsom,
Fox,
French,
Fuller,
Gay,
Glazier,
Gould,
Gove,
Griggs,
Grow,
Guild,
Harrington,
Harris of Mansfield,
Henry,
Hinds,
Hodgkins,
Hollister of Marshfield,
Howe of Williamstown,
Ingalls,
Jewe t,
Jones of Waitsfield,
Keith,
Kibby,
Kidder,
Lackie,
Ladd of Wolcott,
Lamb,
Lockwood,
Marshall,
Martindale,
May,
McFarland,
McLoud,
Moon,
Moore,
Morrill of Canaan,
Morrill of Danville,
Naramore,
Needham,
Newell,
Niles,
Norris,
Page of Plainfield,
Page of Westminster,
Parker,
Peck,
Perry,

Pettibone,	Spalding,	Webster of Cabot,
Powell,	Taylor,	Webster of Colchester,
Richardson,	Turner,	Wells,
Scott,	Tuttle of Sandgate,	Whitcomb,
Shattuck,	Tyler,	White,
Sheldon,	Van Sicklen,	Whitelaw,
Small,	Walker,	Whitney,—109.
Soule,		

So it was decided in the negative.

Mr. Fullerton, from the Committee on Bills, reported that said Committee had this day presented to the Governor, for his approval and signature, bills of the following titles, namely:

(H. 152.) "An act to incorporate the Branch Turnpike Company."

(H. 163.) "An act authorizing the Treasurer to borrow the sum therein mentioned."

(H. 162.) "An act assessing a tax for the support of Government."

(H. 161.) "An act making appropriations for the support of Government."

(H. 165.) "An act in addition to Chapter 95 of the Revised Statutes."

(H. 148.) "An act in addition to Chapter 77 of the Revised Statutes, relating to the collection of taxes."

(H 164.) "An act making appropriations to pay the Convention called by the Council of Censors."

(H. 95.) "An act in addition to 'an act establishing the County Grammar School of the County of Caledonia, in the town of Peacham,' passed October 27, 1795."

(S. 65.) "An act in addition to an act to incorporate the Goshen Turnpike Company."

(S. 58.) "An act in alteration of Chapter 21 of the Revised Statutes."

(H. 172.) Mr. Winslow, on leave, introduced a bill entitled "an act relating to the collection of taxes."

Which was read the first time and referred to the Judiciary Committee.

The House adjourned.

AFTERNOON.

(H. 71.) Mr. Van Sicklen, from the Committee of Claims, to which was referred the bill entitled "an act directing the Treasurer to credit the town of Guildhall the sum therein mentioned," reported in favor of the passage of said bill, and the same was read the second time.

Ordered, That said bill be engrossed and read the third time.

Mr. Davis of Norwich, from the Committee on Military Affairs, to which were referred the several memorials upon the subject of the militia, reported that no further action is required thereon, inasmuch as the bill, reported by the committee appointed by the Governor, had passed the House; which report was concurred in.

Ordered, That the memorialists have leave to withdraw their memorials.

(H. 166.) Mr. Niles, from the Committee on Education, to which was referred the bill entitled "an act in alteration of section 29 of Chapter 18 of the Revised Statutes," reported the same with amendments, which were adopted.

Ordered, That said bill be engrossed and read the third time tomorrow morning.

Mr. Cushman, from the Committee on Military Affairs, to which was referred the petition of the Rutland Citizens' Corps for an act of incorporation, reported that the prayer thereof ought not to be granted; which report was concurred in.

Ordered, That the petitioners have leave to withdraw their petition.

Mr. Cushman, from the same Committee, to which was referred the resolution referring to committee so much of the Governor's message as relates to the militia, reported that no further action on said subject is necessary.

(H. 19.) Mr. Cushman, from the same Committee, to which was referred the bill entitled "an act to pay Orson Perkins the sum therein mentioned," reported that said bill ought not to pass.

Mr. Fox moved to dismiss said bill; and the question being taken, it passed in the affirmative.

(H. 123.) Mr. Peake, from the Committee on Education, to which was referred the bill entitled "an act to appropriate the general School Fund to the purposes of State revenue," reported unfavorably to the passage of the same.

And said bill was dismissed.

Mr. Webster of Colchester, from the same Committee, to which was referred the petition of Daniel Pineo and others, praying for the distribution of the School Fund among the towns for the purposes of education, reported unfavorably to said petition; which report was concurred in.

Ordered, That the petitioners have leave to withdraw their petition.

(S. 72.) The bill from the Senate entitled "an act in amendment of Chapter 80 of the Revised Statutes" was read the second time, and ordered to be read the third time tomorrow morning.

A message from the Senate, by Mr. Clarke, their Secretary:

Mr. Speaker:—The Senate concur in passing bills of the following titles:

(H. 130.) "An act relating to the election of Representatives to Congress."

(H. 156.) "An act to pay the claims against the State Prison."

The Senate concur in passing the resolution for furnishing the Library with certain printed documents.

(S. 71.) The Senate concur in the amendments proposed by the House of Representatives, to the bill entitled "an act in relation to the militia."

(H. 147.) The Senate have passed the bill from the House entitled "an act in addition to Chapter 29 of the Revised Statutes" with proposals of amendment, in which they request the concurrence of this House.

The Senate do not concur in passing bills of the following titles:

(H. 113.) "An act relating to elections."

(H. 14.) "An act to pay William Maxham the sum therein mentioned."

The Senate have passed a resolution relating to the early documents of of Vermont, and extending the commission of Henry Stevens in the prosecution of his enquiries as to the claims of Vermont upon the General Government, in which they request the concurrence of the House.

(H. 3.) The House proceeded to consider the bill entitled "an act in amendment of section 63 of Chapter 28 of the Revised Statutes," which had been made the order of the day for the 9th instant.

A motion was made to dismiss said bill; which motion was decided in the negative.

Mr. Canfield moved to strike out all after the enacting clause; and the question being taken, it passed in the affirmative.

On motion of Mr. Shafter,

Ordered, That said bill lie on the table, and be made the order of the day for Monday morning next at six o'clock.

A message from the Senate, by Mr. Clarke, their Secretary:

Mr. Speaker:—The Senate have passed the bill (H. 145) from the House of Representatives, entitled "an act in addition to, and in alteration of, 'an act relating to the Grand List,' approved November 11, 1841," with proposals of amendment, in which they request the concurrence of the House.

(H. 42.) Mr. Chamberlin, from the Committee on Education, to which was referred the bill entitled "an act to distribute to the several towns the income of the State School Fund," reported that said bill ought not to to pass.

Mr. Fox moved to dismiss said bill.

And on the question, shall the bill be dismissed? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Aldrich,	Daniels,	Hinds,
Ball,	Davis of Baltimore,	Holden,
Barber of Enosburgh,	Dewing,	Hollister of Pawlet,
Barber of Mount Holly,	Denison of Hartland,	Howard of Andover,
Barney,	Eames,	Howard of Benson,
Barton,	Edmonds,	Howe of Vernon,
Bliss,	Ellis,	Howe of Williamstown,
Bogue,	Emery,	Jackson,
Bowe,	Esty,	Janes,
Briggs,	Field,	Jewett,
Brooks,	Fish,	Johnson,
Bump,	Flagg,	Jones of Waitsfield,
Caldwell of Lincoln,	Foster of Berlin,	Keese,
Canfield,	Foster of Tunbridge,	Kellogg,
Carpenter,	Fox,	Kidder,
Chamberlin,	Fullerton,	Kinsley,
Clapp,	Goodsill,	Lackie,
Clark,	Graves,	Ladd of Grand Isle,
Cobb of Tinmouth,	Green,	Leavenworth,
Colby,	Guild,	Lockwood,
Colton,	Harris of Windham,	Lyon,
Cooper,	Hartshorn,	Moore,
Cummings,	Harwood,	Morse,
Cushman,	Henry,	Mott,

Needham,
Newell,
Noyes,
Paddock,
Page of Westminster,
Peake,
Perry,
Prentiss,
Richardson,
Roscoe,
Ross,
Russ,
Russell,
Sanford of Castleton,
Sanford of Cornwall,
Shafter,
Sheldon,
Simonds,
Slack,
Smeed,
Smith of Addison,
Smith of Hinesburgh,
Sprague,
Stark,
Stoddard,
Towle,
Tracy,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Van Sicklen,
Wardner,
Warner,
Welch,
Wheeler of Reading,
Wheeler of Winhall,
Whipple,
Whitcomb,
Whitelaw,
Winslow,
Woodbridge,—112.

Those who voted in the negative are, Messrs.

Adams,
Aiken,
Austin,
Bacon,
Bailey of Elmore,
Bailey of Lemington,
Baker,
Barr,
Bennett,
Blake,
Bowman,
Brackett,
Bradley,
Brigham,
Caldwell of Mendon,
Charlton,
Cobb of Strafford,
Davis of Norwich,
Douglass of Richmond,
Douglass of Waterbury,
Eager,
Eaton,
Ellsworth,
Flint of Braintree,
Flint of Lowell,
Folsom,
French,
Fuller,
Gay,
Glazier,
Gould,
Gove,
Griggs,
Grow,
Harrington,
Harris of Mansfield,
Hazen,
Hill,
Hodgkins,
Holcomb,
Hollister of Marshfield,
Ingalls,
Jones of Dover,
Keith,
Kibby,
Ladd of Wolcott,
Marshall,
Martindale,
May,
McFarland,
McLoud,
Moon,
Morrill of Canaan,
Morrill of Danville,
Naramore,
Niles,
Norris,
Page of Corinth,
Page of Plainfield,
Parker,
Peck,
Perkins,
Pettibone,
Pope,
Powell,
Rice,
Robbins,
Rowell,
Shattuck,
Small,
Smith of Monkton,
Soule,
Spalding,
Stanton,
Taplin,
Taylor,
Turner,
Tyler,
Vilas,
Walker,
Webster of Cabot,
Webster of Colchester,
Wells,
Whitney,
Wiggins,—85.

So it passed in the affirmative.

The credentials of Jonathan Houghton, as representative of the town of Readsboro', which on the 13th ultimo were ordered to lie on the table, were taken up, and postponed to the first day of January next.

The following resolutions, which had been ordered to lie on the table, were taken up, and dismissed, namely:

The resolution relating to absentees, introduced by Mr. Davis of Norwich on the 9th instant.

The resolution for an adjournment of the General Assembly, introduced by Mr. Harrington on the 2d instant.

The resolution providing for the distribution of documents, introduced by Mr. Davis of Norwich on the 14th ultimo.

The resolution limiting the time for receivng votes at freemen's meetings, introduced by Mr. Denison of Hartland on the 17th ultimo.

The resolution for the appointment of fourth Assistant Justice of the Supreme Court, in the place of Hon. William Hebard, introduced by Mr. Harrington on the 22d ultimo.

The resolution for the election of Secretary of State, in the place of James Mc M. Shafter, Esq. introduced by Mr. Parker on the 22d ultimo.

The resolution relative to the appointment of a committee to approbate teachers of common schools, introduced by Mr. Hollister of Pawlet on the 22d ultimo.

The resolution relative to the Directory, introduced by Mr. Baker, on the 20th ultimo.

The resoluting relating to schools, introduced by Mr. Pettibone on the 18th ultimo.

The resolution for limiting the time for the introduction of bills, introduced by Mr. Barton on the 2d instant.

Leave was granted to the petitioners in the following petitions to withdraw their several petitions, namely:

Of L. V. Piper and others, and of Rowland T. Robinson and others, each praying for the abolition of capital punishment.

Of Elijah R. Green, praying for a divorce.

Of John Davis and others, praying to be set to the second Regiment of the Militia.

Of Shubael Wardner and others, praying for the incorporation of a Bank at Windsor.

The following bills were considered and dismissed, namely:

(H. 158.) "An act to repeal an act relative to imprisonment for debt"

(H. 126.) "An act to repeal section 16 of Chapter 1 of the Revised Statutes."

(H. 75.) "An act to repeal section 2 of an act in addition to the several acts regulating and governing the militia of this State, approved Nov. 11, 1841."

(H. 33.) "An act in amendment of Chapter 104 of the Revised Statutes."

(H. 12.) The bill entitled "an act in alteration of Chapter 25 of the Revised Statutes" was read the second time.

Ordered, That said bill be engrossed and read the third time this evening.

A message from the Senate, by Mr. Clarke, their Secretary:

Mr. Speaker:—The Senate concur with the House of Representatives in passing the bill (H. 36) entitled "an act to incorporate the Orange County Bank."

(S. 68.) The Senate have passed a bill entitled "an act in addition to Chapter 19 of the Revised Statutes, relating to the instruction of the deaf and dumb and the blind."

(H. 94.) The Senate have passed the bill from the House entitled "an act relating to the United States Deposite Money," with proposals of amendment, in which they request the concurrence of the House.

(H. 88.) The House proceeded to consider the bill entitled "an act to repeal the providing clause of section 24 of 'an act relating to Banks,' approved October 28, 1840;" and the question was stated, shall the bill be read the second time? and being taken was decided in the negative.

On motion of Mr. Canfield, it was

Resolved, That so much of the 25th section of the Rules of the House, as requires that the third reading of bills shall be at least twenty-four hours after the first reading, be suspended for the remainder of the session.

(H. 172.) Mr. Vilas, from the Judiciary Committee, to which was referred the bill entitled "an act relating to the collection of State taxes," reported the same without amendment, and said bill was read the second time.

Ordered, That it be engrossed and read the third time this evening.

(H. 11.) The bill entitled "an act to repeal section 2 of Chapter 29 of the Revised Statutes" was read the second time.

Ordered, That said bill be engrossed and read the third time this evening.

(H. 59.) The House proceeded to consider the motion made by Mr. Prentiss on the 8th instant, to reconsider the vote by which the House, on the 7th instant, refused to order to the third reading the bill entitled "an act to amend 'an act relating to Banks,' approved October 28, 1840."

And the question was stated, will the House reconsider their said vote?

On which question the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Barr,	Lockwood,	Skiff,
Bowman,	Martindale,	Smith of Addison,
Briggs,	Mott,	Smith of Monkton,
Canfield,	Parker,	Sprague,
Eames,	Peake,	Tuttle of Sandgate,
Ellis,	Perry,	Van Sicklen,
Goodsill,	Roscoe,	Wardner,
Gove,	Russ,	Welch,
Janes,	Sanford of Cornwall,	White,
Keese,	Sheldon,	Woodbridge,—31.
Ladd of Grand Isle,		

Those who voted in the negative are, Messrs.

Aiken,	Bradley,	Cushman,
Aldrich,	Brigham,	Davis of Norwich,
Atwood,	Brooks,	Denison of Hartland,
Bacon,	Bump,	Eager,
Bailey of Elmore,	Caldwell of Lincoln,	Eaton,
Bailey of Lemington,	Caldwell of Mendon,	Edmonds,
Baker,	Carpenter,	Ellsworth,
Barber of Mount Holly,	Chamberlin,	Emery,
Barney,	Charlton,	Esty,
Barton,	Clapp,	Field,
Bennett,	Clark,	Fish,
Bliss,	Cobb of Strafford,	Flint of Braintree,
Bowe,	Cooper,	Flint of Lowell,
Brackett,	Cummings,	Foster of Berlin,

Foster of Tunbridge,
French,
Fullerton,
Gay,
Glazier,
Gould,
Graves,
Griggs,
Grow,
Guild,
Harris of Mansfield,
Harris of Windham,
Hartshorn,
Harwood,
Hazen,
Henry,
Hill,
Hinds,
Hodgkins,
Hollister of Marshfield,
Hollister of Pawlet,
Howard of Andover,
Howe of Vernon,
Howe of Williamstown,
Ingalls,
Jones of Dover,
Jones of Waitsfield,
Keith,
Kellogg,
Kibby,
Lackie,
Lamb,
Marshall,
May,
McLoud,
Moon,
Moore,
Morrill of Canaan,
Morrill of Danville,
Morse,
Needham,
Newell,
Niles,
Norris,
Noyes,
Paddock,
Page of Plainfield,
Page of Westminster,
Peck,
Pope,
Powell,
Prentiss,
Richardson,
Robbins,
Ross,
Rowell,
Russell,
Sanborn,
Sanford of Castleton,
Shafter,
Shattuck,
Simonds,
Small,
Smeed,
Soule,
Stanton,
Stark,
Stoddard,
Taylor,
Towle,
Turner,
Tuttle of Weathersfield,
Tyler,
Vilas,
Walker,
Webster of Cabot,
Wells,
Wheeler of Reading,
Whipple,
Whitcomb,
Whitelaw,
Whitney,
Winslow,—125.

So it was decided in the negative.

The House adjourned.

EVENING.

Mr. Fullerton, from the Committee on Bills, reported that said Committee had this day presented to the Governor, for his approval and signature, the following bills:

(S. 21.) "An act for the relief of Salma Davis and others."

(S. 71.) "An act in relation to the Militia."

Mr. Graves introduced the following resolution:

Resolved, That the Committee on Debentures be instructed not to pay to any member of this House his debenture until Saturday next, at four o'clock P. M., unless such member shall obtain leave of absence by a vote of this House.

Which was read and disagreed to by the House.

The House proceeded to consider the memorial of Churchill Sampson

and others, upon the subject of imprisonment for debt, which was, on the 9th instant, reported and ordered to lie on the table; and it was

Ordered, That the memorialists have leave to withdraw their memorial.

Mr. Niles, from the Committee on Education, to which was referred the resolution, introduced by Mr. Douglass of Waterbury, on the 3d instant, relative to school committees, reported that no legislation on said subject is expedient at this time.

(H. 159.) The bill entitled "an act for the relief of Rhoda A. M. Edson" was dismissed, on motion of Mr. Foster of Berlin.

(H. 169.) The bill entitled "an act in amendment of Chapter 18 of the Revised Statutes" was made the order of the day for Monday morning next, at six o'clock.

(H. 160.) Mr. Canfield, from the Judiciary Committee, to which was referred the bill entitled "an act in amendment of section 2 of Chapter 43 of the Revised Statutes," reported the same without amendment, and said bill was read the second time, and amended.

Ordered, That it be engrossed and read the third time this evening.

(H. 142.) On motion of Mr. Henry, the vote ordering the engrossed bill entitled "an act in addition to Chapter 80 of the Revised Statutes" to be read the third time tomorrow morning, was reconsidered; and said bill was read the third time and passed.

(H. 173.) Mr. Keith, on leave, introduced a bill entitled "an act relating to Bank Stock."

Which was read the first and second time.

The rule requiring the engrossing of bills was dispensed with, and said bill was read the third time and passed.

(H. 112.) The engrossed bill entitled "an act to equalize the privileges of the inhabitants of this State, and to remove odious distinctions between them" was read the third time and passed.

The title of said bill was amended, to read, "*An act to equalize the privileges of the inhabitants of this State.*"

Engrossed bills of the following titles were severally read the third time and passed, namely:

(H. 71.) "An act directing the Treasurer to credit the town of Guildhall the sum therein mentioned."

(H. 12.) "An act in alteration of Chapter 25 of the Revised Statutes."

(H. 11.) "An act to repeal section 2 of Chapter 29 of the Revised Statutes."

(H. 172.) "An act in relation to the collection of State taxes."

(H. 171.) "An act altering the names of the persons therein mentioned."

(H. 120.) "An act in amendment of an act relating to the reporting of the decisions of the Supreme Court."

(H. 154.) "An act fixing the salary of the Librarian."

(H. 168.) "An act in relation to the State Library."

(H. 160.) "An act in amendment of section 2 of Chapter 43 of the Revised Statutes."

(S. 56.) The bill from the Senate entitled "an act defining the qualifications and rights of freemen, and for other purposes" was read the third time, and passed.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—The Senate have passed bills from the House of Representatives of the following titles, with proposals of amendment, in which they ask the concurrence of the House, namely:

(H. 121.) "An act in addition to Chapter 77 of the Revised Statutes."

(H. 150.) "An act to pay Chauncey Goodrich the sum therein mentioned."

(H. 167.) The engrossed bill entitled "an act to repeal the second section of an act relating to the Winooski Turnpike" was read the third time.

And the question was stated, shall the bill pass?

On which question, the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,	Grow,	Page of Plainfield,
Austin,	Guild,	Page of Westminster,
Bacon,	Harris of Mansfield,	Parker,
Bailey of Lemington,	Hartshorn,	Peck,
Baker,	Henry,	Pettibone,
Barr,	Hinds,	Pope,
Barber of Mount Holly,	Hodgkins,	Rice,
Barney,	Holden,	Robbins,
Bennett,	Hollister of Marshfield,	Rowell,
Blake,	Hollister of Pawlet,	Russell,
Boardman of Hydepark,	Howard of Andover,	Sanborn,
Bogue,	Ingalls,	Scott,
Bradley,	Jewett,	Shattuck,
Brigham,	Jones of Dover,	Simonds,
Brown of Whiting,	Keith,	Small,
Clapp,	Kellogg,	Smith of Addison,
Colby,	Lamb,	Smith of Barton,
Colton,	Leavenworth,	Soule,
Daniels,	Lockwood,	Sprague,
Davis of Norwich,	Marshall,	Stoddard,
Dewing,	May,	Taplin,
Denison of Hartland,	McFarland,	Turner,
Douglass of Richmond,	McLoud,	Tyler,
Douglass of Waterbury,	Moon,	Walker,
Edmonds,	Morrill of Canaan,	Webster of Cabot,
Ellsworth,	Morrill of Danville,	Welch,
Flagg,	Morse,	Wells,
Folsom,	Naramore,	Wheeler of Winhall,
Fullerton,	Needham,	Whipple,
Goodsill,	Niles,	Whitcomb,
Gould,	Norris,	Whitney,
Griggs,	Page of Corinth,	Wiggins,—96.

Those who voted in the negative are, Messrs.

Atwood,	Bowe,	Caldwell of Lincoln,
Bailey of Elmore,	Bowman,	Caldwell of Mendon,
Ball,	Brackett,	Canfield,
Barber of Enosburgh,	Briggs,	Carpenter,
Barton,	Brooks,	Clark,
Bliss,	Bump,	Cobb of Strafford,

Cobb of Tinmouth,	Jackson,	Ross,
Cummings,	Janes,	Russ,
Cushman,	Johnson,	Sanford of Cornwall,
Davis of Baltimore,	Jones of Waitsfield,	Shafter,
Eager,	Keese,	Sheldon,
Eames,	Kibby,	Smeed,
Ellis,	Kinsley,	Smith of Hinesburgh,
Emery,	Lackie,	Smith of Monkton,
Field,	Ladd of Grand Isle,	Stanton,
Fish,	Ladd of Wolcott,	Towle,
Flint of Lowell,	Lyon,	Tracy,
Fox,	Martindale,	Tuttle of Weathersfield,
Glazier,	Moore,	Van Sicklen,
Graves,	Mott,	Wardner,
Green,	Noyes,	Warner,
Harrington,	Paddock,	Webster of Colchester,
Harris of Windham,	Peake,	Wheeler of Reading,
Harwood,	Perry,	White,
Hazen,	Powell,	Whitelaw,
Hill,	Prentiss,	Wiley,
Howard of Benson,	Richardson,	Winslow,
Howe of Vernon,	Roscoe,	Woodbridge,—85.
Howe of Williamstown,		

So it passed in the affirmative.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—The Senate concur with the House of Representatives in passing the bill (H. 171) entitled "an act altering the names of the persons therein mentioned."

(H. 2.) The Senate have passed the bill from the House entitled "an act to repeal an act in amendment of section 63 of Chapter 28 of the Revised Statutes," with a proposal of amendment, in which they request the concurrence of this House.

The Senate have passed bills of the following titles, in which they request the concurrence of the House of Representatives, namely:

(S. 83.) "An act fixing the times for holding the County Courts in the County of Chittenden."

(S. 81.) "An act relating to the collection of taxes."

(S. 52.) "An act in amendment of Chapter 80 of the Revised Statutes."

(H. 166.) The vote ordering the engrossed bill entitled "an act in alteration of section 29 of Chapter 18 of the Revised Statutes" to be read the third time tomorrow morning, was reconsidered; and said bill was read the third time and passed.

(H. 85.) Mr. Russell, from the committee composed of the members of Windsor and Orange Counties, to which was referred the bill entitled "an act to annex the towns of Norwich, Sharon, Royalton and Bethel in the County of Windsor to the County of Orange," reported the same without amendment.

Mr. Russell moved to dismiss said bill; and the question being taken, it passed in the affirmative.

(S. 68.) The bill from the Senate entitled "an act in addition to Chapter 19 of the Revised Statutes, relating to the instruction of the deaf and

dumb and the blind," was read the first, second and third time, and passed.

(S. 64.) The bill from the Senate entitled "an act in alteration of section 6, Chapter 57, of the Revised Statutes," was read the first, second and third time.

And the question was stated, shall the bill pass? and being taken it was decided in the negative.

And the House refused concurrence in the passage thereof.

(S. 27.) The bill from the Senate entitled "an act altering the 6th and defining the 32d section of the 45th Chapter of the Revised Statutes" was read the first and second time, and referred to the Judiciary Committee.

On motion of Mr. Vilas, the Judiciary Committee was discharged from the further consideration of the petition of Harvey Copeland, praying for the passage of a law exempting poultry from attachment.

Ordered, That the petitioner have leave to withdraw his petition.

(S. 51.) The bill from the Senate entitled "an act to pay John S Pettibone the sum therein mentioned" was read the first and second time, and referred to the Committee of Claims.

(H. 58.) The bill entitled "an act in relation to the Militia" was dismissed.

A resolution from the Senate:

Resolved, by the Senate and House of Representatives, That the Governor be requested, if in his judgment the interests of the State shall be thereby promoted, to procure the documents and papers relative to the early civil and political history of the State to be collected and arranged, and lodged in the Secretary of State's office; and also to extend the commission of Henry Stevens, in the prosecution of the inquiry as to the claims of this State upon the United States, for the further term of one year.

Which was read and referred to the Committee of Claims.

(S. 43.) Mr. Woodbridge, from the Judiciary Committee, to which was referred the bill from the Senate entitled "an act in addition to Chapter 20 of the Revised Statutes," reported the same without amendment, and said bill was read the second time.

And on the question, shall the bill be read the third time? it was decided in the negative.

(S. 70.) Mr. Prentiss, from the Committee on Education, to which was referred the bill from the Senate entitled "an act to pay Zadock Thompson the sum therein mentioned," reported the same with an amendment, which was adopted.

And the question was stated, shall the bill be read the second time?

On which question the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Aldrich,	Brackett,	Colby,
Bailey of Elmore,	Caldwell of Lincoln,	Cummings,
Bailey of Lemington,	Canfield,	Cushman,
Barber of Enosburgh,	Carpenter,	Davis of Baltimore,
Blake,	Chamberlin,	Davis of Norwich,
Bliss,	Charlton,	Douglass of Richmond,
Bowe,	Clapp,	Douglass of Waterbury,
Bowman,	Clark,	Eames,

Foster of Berlin,
Foster of Tunbridge,
Fox,
Gove,
Graves,
Green,
Guild,
Harwood,
Hinds,
Hollister of Pawlet,
Kidder,
Kinsley,
Ladd of Grand Isle,
Lamb,
Lockwood,
Lyon,
May,
Moore,
Mott,
Niles,
Noyes,
Paddock,
Parker,
Prentiss,
Rice,
Roscoe,
Russ,
Russell,
Sanborn,
Shafter,
Sheldon,
Smith of Hinesburgh,
Stanton,
Stark,
Tracy,
Tuttle of Sandgate,
Van Sicklen,
Vilas,
Warner,
Webster of Cabot,
Webster of Colchester,
Welch,
Wells,
White,
Winslow,—69.

Those who voted in the negative are, Messrs.

Ambler,
Bacon,
Ball,
Barr,
Barber of Mount Holly,
Barney,
Barton,
Bennett,
Briggs,
Brigham,
Bump,
Caldwell of Mendon,
Cobb of Strafford,
Eager,
Ellsworth,
Emery,
Field,
Fish,
Flint of Braintree,
Flint of Lowell,
French,
Fuller,
Fullerton,
Gay,
Glazier,
Gould,
Harris of Windham,
Hazen,
Henry,
Hill,
Hodgkins,
Holcomb,
Hollister of Marshfield,
Howard of Benson,
Howe of Vernon,
Howe of Williamstown,
Ingalls,
Jewett,
Jones of Dover,
Keith,
Kibby,
McLoud,
Moon,
Morrill of Canaan,
Morrill of Danville,
Needham,
Norris,
Page of Corinth,
Page of Westminster,
Peck,
Perkins,
Pettibone,
Pope,
Richardson,
Robbins,
Rowell,
Simonds,
Skiff,
Small,
Smeed,
Smith of Addison,
Smith of Barton,
Soule,
Sprague,
Taylor,
Towle,
Turner,
Tuttle of Weathersfield,
Wardner,
Wheeler of Reading,
Wheeler of Winhall,
Whipple,
Whitcomb,
Whitelaw,
Whitney,
Wiggins,—76.

So it was decided in the negative.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—The Senate concur with the House of Representatives in passing the bill (H. 119) entitled "an act relating to the punishment of capital crimes."

(S. 38.) The Senate have passed a bill entitled "an act constituting a Board of Education," in which they request the concurrence of this House.

The House adjourned.

SATURDAY, NOV. 12, 1842.

Prayer by Rev. Eli Ballou.

Mr. Parker, from the Committee on Bills, reported that said Committee had this day presented to the Governor, for his approval and signature, the following bill:

(H. 171.) "An act altering the names of the persons therein mentioned."

Mr. Fullerton, from the same Committee, reported that said Committee had this day presented to the Governor, for his approval and signature, bills of the following titles, namely:

(H. 36.) "An act to incorporate the Orange County Bank."

(H. 156.) "An act to pay the claims against the State Prison."

(H. 130.) "An act relating to the election of Representatives to Congress."

(H. 119.) "An act relating to the punishment of capital crimes."

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

MR. SPEAKER:—I am directed by His Excellency the Governor to announce to the House of Representatives, that he has this day approved and signed bills of the following titles, namely:

(H. 171.) "An act altering the names of the persons therein mentioned."

(H. 156.) "An act to pay the claims against the State Prison."

(H. 36.) "An act to incorporate the Orange County Bank."

(H. 130.) "An act relating to the election of Representatives to Congress."

(H. 119.) "An act relating to the punishment of capital crimes."

(S. 70.) Mr. Wardner moved to reconsider the vote of yesterday, by which the House refused to order to the second reading the bill from the Senate entitled "an act to pay Zadock Thompson the sum therein mentioned."

And on the question, will the House reconsider their said vote? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Aldrich,	Charlton,	Foster of Berlin,
Bailey of Elmore,	Clapp,	Foster of Tunbridge,
Baker,	Clark,	Fox,
Ball,	Cobb of Tinmouth,	Goodsill,
Barber of Enosburgh,	Colby,	Gould,
Bliss,	Colton,	Gove,
Boardman of Hydepark,	Cummings,	Graves,
Bogue,	Cushman,	Green,
Bowe,	Daniels,	Griggs,
Bowman,	Davis of Baltimore,	Guild,
Brackett,	Davis of Norwich,	Harrington,
Bradley,	Dewing,	Harris of Windham,
Brooks,	Douglass of Richmond,	Hartshorn,
Brown of Whiting,	Eames,	Harwood,
Caldwell of Lincoln,	Ellis,	Hinds,
Canfield,	Esty,	Holcomb,
Carpenter,	Fish,	Hollister of Pawlet,
Chamberlin,	Flagg,	Howard of Benson,

Howe of Vernon,	Niles,	Smeed,
Ingalls,	Noyes,	Smith of Addison,
Jackson,	Paddock,	Smith of Barton,
Janes,	Parker,	Smith of Hinesburgh,
Johnson,	Peck,	Stanton,
Jones of Waitsfield,	Perry,	Stark,
Keese,	Pettibone,	Tracy,
Kellogg,	Powell,	Tuttle of Sandgate,
Kidder,	Prentiss,	Tuttle of Weathersfield,
Kinsley,	Rice,	Van Sicklen,
Lackie,	Robbins,	Vilas,
Ladd of Grand Isle,	Roscoe,	Walker,
Lamb,	Ross,	Wardner,
Leavenworth,	Russ,	Warner,
Lockwood,	Russell,	Webster of Cabot,
Marshall,	Sanborn,	Webster of Colchester,
May,	Sanford of Castleton,	Wheeler of Reading,
McFarland,	Sanford of Cornwall,	Whipple,
Moon,	Shafter,	White,
Moore,	Sheldon,	Wiley,
Morse,	Simonds,	Winslow,
Mott,	Slack,	Woodbridge,—120.

Those who voted in the negative are, Messrs.

Atwood,	Folsom,	Morrill of Danville,
Austin,	French,	Needham,
Bacon,	Fuller,	Norris,
Bailey of Lemington,	Glazier,	Page of Corinth,
Barr,	Grow,	Page of Plainfield,
Barber of Mount Holly,	Harris of Mansfield,	Page of Westminster,
Barney,	Henry,	Richardson,
Barton,	Hill,	Rowell,
Bennett,	Hollister of Marshfield,	Shattuck,
Blake,	Howe of Williamstown,	Small,
Brigham,	Jewett,	Soule,
Bump,	Jones of Dover,	Sprague,
Caldwell of Mendon,	Keith,	Taplin,
Cobb of Strafford,	Kent,	Taylor,
Eager,	Kibby,	Tyler,
Edmonds,	Ladd of Wolcott,	Wheeler of Winhall,
Ellsworth,	Martindale,	Whitcomb,
Emery,	McLoud,	Whitelaw,
Field,	Morrill of Canaan,	Wiggins,—53.
Flint of Braintree,		

So it passed in the affirmative.

Mr. Peck moved to amend said bill by striking out the words "*five hundred*" before the word "*dollars*," and inserting the words "*two hundred and fifty*."

And on the question, will the House adopt the said proposed amendment? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Atwood,	Bailey of Lemington,	Barney,
Bacon,	Barber of Mount Holly,	Bennett,

Brigham,
Bump,
Davis of Norwich,
Ellsworth,
Emery,
Field,
Fish,
Flint of Braintree,
French,
Fuller,
Fullerton,
Glazier,
Griggs,
Harris of Mansfield,
Holden,
Howe of Williamstown,
Jewett,
Keese,
Kent,
Kibby,
Marshall,
McLoud,
Morrill of Danville,
Morse,
Norris,
Peck,
Pettibone,
Pope,
Richardson,
Rowell,
Sanford of Cornwall,
Shattuck,
Smith of Addison,
Soule,
Sprague,
Turner,
Tyler,
Wheeler of Winhall,
Wiggins,—45.

Those who voted in the negative are, Messrs.

Adams,
Austin,
Bailey of Elmore,
Baker,
Ball,
Barr,
Barber of Enosburgh,
Barton,
Blake,
Bliss,
Boardman of Hydepark,
Bogue,
Bowe,
Bowman,
Brackett,
Bradley,
Briggs,
Brooks,
Brown of Whiting,
Caldwell of Lincoln,
Caldwell of Mendon,
Canfield,
Carpenter,
Chamberlin,
Clapp,
Clark,
Cobb of Strafford,
Cobb of Tinmouth,
Colby,
Cummings,
Cushman,
Daniels,
Davis of Baltimore,
Dewing,
Douglass of Richmond,
Eager,
Eames,
Ellis,
Esty,
Flagg,
Folsom,
Foster of Berlin,
Foster of Tunbridge,
Fox,
Goodsill,
Gove,
Graves,
Green,
Grow,
Guild,
Harrington,
Harris of Windham,
Hartshorn,
Harwood,
Hazen,
Henry,
Hinds,
Holcomb,
Hollister of Marshfield,
Hollister of Pawlet,
Howard of Benson,
Howe of Vernon,
Ingalls,
Jackson,
Janes,
Jones of Dover,
Jones of Waitsfield,
Kellogg,
Kinsley,
Ladd of Grand Isle,
Ladd of Wolcott,
Leavenworth,
Lockwood,
Lyon,
May,
Moon,
Moore,
Mott,
Naramore,
Needham,
Niles,
Noyes,
Paddock,
Page of Corinth,
Page of Plainfield,
Page of Westminster,
Parker,
Perry,
Powell,
Prentiss,
Rice,
Roscoe,
Russ,
Russell,
Sanford of Castleton,
Shafter,
Sheldon,
Small,
Smith of Hinesburgh,
Stanton,
Stark,
Taylor,
Tracy,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Van Sicklen,
Vilas,
Wardner,
Warner,
Webster of Cabot,
Webster of Colchester,
Wheeler of Reading,
Whipple,
Whitcomb,
White,
Whitelaw,
Wiley,
Winslow,
Woodbridge,—119.

So it was decided in the negative.

Said bill was read the second and third time.

And the question was stated, shall the bill pass?

On which question the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,	Foster of Berlin,	Noyes,
Bailey of Elmore,	Foster of Tunbridge,	Paddock,
Baker,	Fox,	Parker,
Ball,	Goodsill,	Perry,
Barber of Enosburgh,	Gove,	Powell,
Blake,	Graves,	Prentiss,
Bliss,	Green,	Rice,
Boardman of Hydepark,	Guild,	Roscoe,
Bogue,	Harrington,	Ross,
Bowe,	Harris of Windham,	Russ,
Bowman,	Hartshorn,	Russell,
Brackett,	Harwood,	Sanborn,
Brooks,	Hinds,	Sanford of Castleton,
Brown of Whiting,	Holcomb,	Shafter,
Caldwell of Lincoln,	Hollister of Pawlet,	Sheldon,
Canfield,	Howard of Benson,	Slack,
Carpenter,	Howe of Vernon,	Smeed,
Chamberlin,	Jackson,	Smith of Addison,
Charlton,	Janes,	Smith of Barton,
Clapp,	Johnson,	Smith of Hinesburgh,
Clark,	Jones of Waitsfield,	Stanton,
Cobb of Tinmouth,	Kellogg,	Stark,
Colby,	Kidder,	Tracy,
Colton,	Kinsley,	Turner,
Cummings,	Lackie,	Van Sicklen,
Cushman,	Ladd of Grand Isle,	Vilas,
Daniels,	Lamb,	Wardner,
Davis of Baltimore,	Leavenworth,	Warner,
Davis of Norwich,	Lockwood,	Webster of Cabot,
Dewing,	Lyon,	Webster of Colchester,
Douglass of Richmond,	May,	Wheeler of Reading,
Douglass of Waterbury,	Moon,	Whipple,
Eames,	Moore,	White,
Ellis,	Morse,	Wiley,
Esty,	Mott,	Winslow,
Fish,	Niles,	Woodbridge,—109.
Flagg,		

Those who voted in the negative are, Messrs.

Atwood,	Brigham,	Flint of Lowell,
Austin,	Bump,	Folsom,
Bacon,	Caldwell of Mendon,	French,
Bailey of Lemington,	Cobb of Strafford,	Fuller,
Barr,	Edmonds,	Fullerton,
Barber of Mount Holly,	Ellsworth,	Glazier,
Barney,	Emery,	Griggs,
Barton,	Field,	Grow,
Briggs,	Flint of Braintree,	Harris of Mansfield,

Hazen,	Marshall,	Richardson,
Henry,	Martindale,	Robbins,
Hill,	McLoud,	Rowell,
Hodgkins,	Morrill of Canaan,	Sanford of Cornwall,
Holden,	Morrill of Danville,	Shattuck,
Hollister of Marshfield,	Needham,	Small,
Howe of Williamstown,	Norris,	Soule,
Ingalls,	Page of Corinth,	Spalding,
Jewett,	Page of Plainfield,	Sprague,
Jones of Dover,	Page of Westminster,	Taylor,
Keith,	Peck,	Tuttle of Weathersfield,
Kent,	Perkins,	Wheeler of Winhall,
Kibby,	Pettibone,	Whitelaw,
Ladd of Wolcott,	Pope,	Wiggins,—69.

So it passed in the affirmative.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—The Senate concur with the House of Representatives in passing bills of the following titles, namely:

(H. 173.) "An act relating to Bank Stock."

(H. 168.) "An act relating to the State Library."

(H. 166.) "An act in amendment of Chapter 18 of the Revised Statutes."

(H. 172.) "An act relating to the collection of State taxes."

(H. 12.) "An act in alteration of Chapter 25 of the Revised Statutes."

(H. 142.) "An act in addition to Chapter 80 of the Revised Statutes."

(H. 71.) "An act directing the Treasurer to credit the town of Guildhall the sum therein mentioned."

(H. 154.) "An act fixing the salary of the Librarian."

The Senate have passed the resolution from the House, relative to a reduction of the pay of members of Congress, with a proposal of amendment, and bills from the House of the following titles with proposals of amendment, in which they request the concurrence of the House, namely:

(H. 112.) "An act to equalize the privileges of the inhabitants of this State."

(H. 160.) "An act in amendment of section 2 of Chapter 43 of the Revised Statutes."

The Senate have passed resolutions relative to repudiation, in which they request the concurrence of the House.

The Senate do not concur in passing bills of the following titles, namely:

(H. 22.) "An act in alteration of section 2 of Chapter 21 of the Revised Statutes."

(H. 120.) "An act in amendment of an act relating to the reporting of the decisions of the Supreme Court."

(H. 11.) "An act repealing section 2 of Chapter 29 of the Revised Statutes."

(H. 149.) "An act to amend section 23 of Chapter 21 of the Revised Statutes."

(S. 56.) Mr. Stark moved to reconsider the vote of yesterday passing the bill from the Senate entitled "an act defining the qualifications and rights of freemen, and for other purposes."

And on the question, will the House reconsider their said vote? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Ambler,	Foster of Tunbridge,	Pope,
Atwood,	Fox,	Prentiss,
Bailey of Elmore,	Fullerton,	Richardson,
Ball,	Goodsill,	Robbins,
Barber of Enosburgh,	Graves,	Roscoe,
Barber of Mount Holly,	Green,	Ross,
Barney,	Grow,	Russ,
Barton,	Guild,	Russell,
Bliss,	Harris of Windham,	Sanford of Castleton,
Bogue,	Hartshorn,	Sanford of Cornwall,
Bowe,	Harwood,	Shafter,
Bowman,	Hinds,	Sheldon,
Briggs,	Holden,	Simonds,
Brooks,	Hollister of Pawlet,	Skiff,
Brown of Whiting,	Howard of Benson,	Slack,
Bump,	Howe of Vernon,	Smeed,
Caldwell of Lincoln,	Howe of Williamstown,	Smith of Addison,
Canfield,	Jackson,	Smith of Barton,
Carpenter,	Janes,	Sprague,
Chamberlin,	Johnson,	Stark,
Clapp,	Jones of Waitsfield,	Stoddard,
Clark,	Keese,	Tracy,
Cobb of Tinmouth,	Kellogg,	Tuttle of Sandgate,
Cushman,	Kidder,	Tuttle of Weathersfield,
Daniels,	Kinsley,	Van Sicklen,
Davis of Baltimore,	Lackie,	Wardner,
Dewing,	Lamb,	Warner,
Eames,	Leavenworth,	Wheeler of Reading,
Edmonds,	Lockwood,	Wheeler of Winhall,
Ellis,	Lyon,	Whipple,
Emery,	Moore,	Whitcomb,
Esty,	Morse,	White,
Field,	Mott,	Whitelaw,
Fish,	Noyes,	Wiley,
Flagg,	Paddock,	Winslow,
Foster of Berlin,	Perry,	Woodbridge,—108.

Those who voted in the negative are, Messrs.

Adams,	Caldwell of Mendon,	Fuller,
Aldrich,	Cobb of Strafford,	Glazier,
Austin,	Colby,	Gould,
Bacon,	Colton,	Gove,
Bailey of Lemington,	Davis of Norwich,	Harrington,
Baker,	Douglass of Richmond,	Harris of Mansfield,
Barr,	Douglass of Waterbury,	Hazen,
Bennett,	Eager,	Henry,
Blake,	Ellsworth,	Hill,
Boardman of Hydepark,	Flint of Braintree,	Hollister of Marshfield,
Brackett,	Flint of Lowell,	Ingalls,
Bradley,	Folsom,	Jewett,
Brigham,	French,	Jones of Dover,

Keith,	Niles,	Small,
Kent,	Norris,	Smith of Monkton,
Kibby,	Page of Corinth,	Soule,
Ladd of Wolcott,	Page of Plainfield,	Spalding,
Marshall,	Page of Westminster,	Stanton,
Martindale,	Parker,	Taplin,
May,	Peck,	Taylor,
McFarland,	Perkins,	Turner,
McLoud,	Pettibone,	Tyler,
Moon,	Powell,	Vilas,
Morrill of Canaan,	Rice,	Webster of Cabot,
Morrill of Danville,	Rowell,	Webster of Colchester,
Naramore,	Sanborn,	Wells,
Needham,	Shattuck,	Wiggins,—81.

So it passed in the affirmative.

A message from the Senate, by Mr. Clarke, their Secretary:

Mr. Speaker:—The Senate concur in the amendments proposed by the House of Representatives to the bill (S. 70) entitled "an act to pay Zadock Thompson the sum therein mentioned."

The Governor has announced to the Senate that he has this day approved and signed bills of the following titles, namely:

(S. 71.) "An act in relation to the Militia."

(S. 58.) "An act in alteration of Chapter 21 of the Revised Statutes."

(S. 21.) "An act for the relief of Salma Davis and others."

(S. 65.) "An act in addition to an act to incorporate the Goshen Turnpike Company."

Mr. Vilas moved to amend the *sixth* section of said bill (S. 56) which is as follows:

"Sec. 6. The first, second, third, fourth, fifth, sixth, sixteenth, and sixty-third sections of the first Chapter of the Revised Statutes are hereby repealed."

By striking out the word "*sixteenth*."

And on the question, shall the proposed amendment be adopted? the yeas and nays, having been demanded, were taken and were as follows?

Those who voted in the affirmative are, Messrs.

Austin,	Cushman,	Griggs,
Bacon,	Daniels,	Grow,
Baker,	Davis of Norwich,	Harris of Mansfield,
Ball,	Douglass of Richmond,	Hazen,
Barr,	Douglass of Waterbury,	Henry,
Bennett,	Eager,	Hill,
Boardman of Hydepark,	Eames,	Hinds,
Bowman,	Ellis,	Hodgkins,
Brackett,	Ellsworth,	Hollister of Marshfield,
Brigham,	Fish,	Hollister of Pawlet,
Carpenter,	Flint of Braintree,	Howard of Benson,
Charlton,	Flint of Lowell,	Howe of Williamstown,
Clapp,	Folsom,	Ingalls,
Cobb of Strafford,	Fullerton,	Jackson,
Cobb of Tinmouth,	Glazier,	Jewett,
Colby,	Gould,	Jones of Dover,
Colton,	Gove,	Jones of Waitsfield,

Keith,
Kellogg,
Kent,
Kibby,
Kidder,
Marshall,
Martindale,
May,
McFarland,
McLoud,
Moon,
Morrill of Canaan,
Morrill of Danville,
Mott,
Needham,
Niles,
Norris,
Noyes,
Paddock,
Page of Corinth,
Page of Plainfield,
Page of Westminster,
Parker,
Peck,
Perkins,
Pettibone,
Pope,
Rice,
Robbins,
Roscoe,
Rowell,
Sanborn,
Shafter,
Smith of Monkton,
Soule,
Spalding,
Stanton,
Stoddard,
Taplin,
Taylor,
Turner,
Tyler,
Vilas,
Wells,
Wiggins,
Winslow,
Woodbridge,—98.

Those who voted in the negative are, Messrs.

Atwood,
Bailey of Elmore,
Bailey of Lemington,
Barber of Enosburgh,
Barber of Mount Holly,
Barney,
Barton,
Blake,
Bliss,
Bogue,
Bowe,
Briggs,
Brooks,
Brown of Whiting,
Bump,
Caldwell of Lincoln,
Caldwell of Mendon,
Chamberlin,
Clark,
Davis of Baltimore,
Dewing,
Edmonds,
Emery,
Foster of Tunbridge,
Fox,
Fuller,
Graves,
Green,
Guild,
Harris of Windham,
Hartshorn,
Harwood,
Holden,
Howe of Vernon,
Johnson,
Keese,
Ladd of Grand Isle,
Ladd of Wolcott,
Lamb,
Lockwood,
Lyon,
Moore,
Morse,
Perry,
Prentiss,
Richardson,
Ross,
Russ,
Russell,
Sanford of Castleton,
Sanford of Cornwall,
Sheldon,
Simonds,
Skiff,
Slack,
Smith of Addison,
Smith of Barton,
Smith of Hinesburgh,
Sprague,
Stark,
Tracy,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Van Sicklen,
Wardner,
Warner,
Wheeler of Reading,
Wheeler of Winhall,
Whitcomb,
White,
Whitelaw,
Wiley,—72.

So it passed in the affirmative.

And the question was stated, shall the bill pass?

On which question, the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Bacon,
Bailey of Lemington,
Baker,
Barr,
Bennett,
Boardman of Hydepark,
Bradley,
Brigham,
Charlton,
Cobb of Strafford,
Colby,
Davis of Norwich,
Eager,
Ellsworth,
Flint of Braintree,
Flint of Lowell,
Folsom,
Fuller,
Glazier,
Gould,
Gove,

Grow,
Harrington,
Harris of Mansfield,
Harris of Windham,
Hazen,
Henry,
Hill,
Hodgkins,
Hollister of Marshfield,
Ingalls,
Jewett,
Jones of Dover,
Keith,
Kent,
Kibby,
Ladd of Wolcott,
Marshall,
Martindale,
McFarland,
McLoud,
Moon,
Morrill of Danville,
Needham,
Norris,
Page of Plainfield,
Page of Westminster,
Parker,
Peck,
Perkins,
Pettibone,
Pope,
Rice,
Rowell,
Sanborn,
Smith of Monkton,
Soule,
Spalding,
Stanton,
Taplin,
Taylor,
Turner,
Tyler,
Vilas,
Webster of Cabot,
Webster of Colchester,
Wells,
Wiggins,
Wiley,
Winslow,—70.

Those who voted in the negative are, Messrs.

Ambler,
Atwood,
Bailey of Elmore,
Ball,
Barber of Enosburgh,
Barber of Mount Holly,
Barton,
Blake,
Bliss,
Bogue,
Bowe,
Bowman,
Briggs,
Brooks,
Brown of Whiting,
Caldwell of Lincoln,
Caldwell of Mendon,
Canfield,
Carpenter,
Chamberlin,
Clark,
Cobb of Tinmouth,
Cummings,
Cushman,
Daniels,
Davis of Baltimore,
Dewing,
Eames,
Edmonds,
Ellis,
Emery,
Esty,
Field,
Fish,
Flagg,
Foster of Berlin,
Foster of Tunbridge,
Fox,
Fullerton,
Goodsill,
Graves,
Green,
Guild,
Hartshorn,
Harwood,
Hinds,
Holden,
Hollister of Pawlet,
Howard of Benson,
Howe of Vernon,
Howe of Williamstown,
Janes,
Johnson,
Jones of Waitsfield,
Keese,
Kellogg,
Kidder,
Kinsley,
Lackie,
Ladd of Grand Isle,
Lamb,
Leavenworth,
Lockwood,
Lyon,
Moore,
Morse,
Mott,
Noyes,
Paddock,
Perry,
Prentiss,
Richardson,
Robbins,
Roscoe,
Ross,
Russ,
Russell,
Sanford of Castleton,
Sanford of Cornwall,
Shafter,
Sheldon,
Simonds,
Skiff,
Slack,
Smeed,
Smith of Addison,
Smith of Barton,
Smith of Hinesburgh,
Sprague,
Stark,
Stoddard,
Tracy,
Tuttle of Sandgate,
Tuttle of Weathersfield,
Van Sicklen,
Wardner,
Warner,
Wheeler of Reading,
Wheeler of Winhall,
Whipple,
Whitcomb,
White,
Whitelaw,
Woodbridge,—104.

So it was decided in the negative, and the House refused to concur in the passage of said bill.

Mr. Parker, from the Committee on Bills, reported that said Committee had this day presented to the Governor, for his approbation and signature, bills of the following titles, namely:

(S. 68.) "An act in addition to Chapter 19 of the Revised Statutes, relating to the institution of the deaf and dumb and the blind."

(H. 71.) "An act directing the Treasurer to credit the town of Guildhall the sum therein mentioned."

(H. 12.) "An act in alteration of Chapter 28 of the Revised Statutes."

(H. 173.) "An act relating to Bank Stock."

(H. 142.) "An act in addition to Chapter 80 of the Revised Statutes."

(H. 166.) "An act in amendment of Chapter 18 of the Revised Statutes."

(H. 172.) "An act in relation to the collection of State taxes."

(H. 168.) "An act relating to the State Library."

(H. 154.) "An act fixing the salary of the Librarian."

The House adjourned.

AFTERNOON.

Mr. Bailey of Elmore, from the General Committee, to which was referred the resolution instructing said Committee to inquire into the expediency of reducing the price now paid jailors for board of state prisoners and town paupers, reported that no further legislation on the subject is necessary at this time.

(S. 51.) Mr. Van Sicklen, from the Committee of Claims, to which was referred the bill from the Senate entitled "an act to pay John S. Pettibone the sum therein mentioned," reported the same with an amendment, which was adopted, and the bill was read the third time, and passed.

(H. 2.) The House proceeded to consider the amendment proposed by the Senate to the bill entitled "an act to repeal an act in amendment of section 63 of Chapter 28 of the Revised Statutes;" and it was

Resolved, to concur in said amendment.

(S. 62.) The bill from the Senate entitled "an act relating to Public Accounts" was read the second and third time, and passed.

(H. 112.) The House proceeded to the consideration of the bill entitled "an act to equalize the privileges of the inhabitants of this State," which had been returned from the Senate with a proposal to amend the title thereof, so as to read—"*an act relating to freehold qualification*;" and it was

Resolved, That the House do agree to said amendment.

(H. 101.) The House considered the amendments proposed by the Senate to the bill entitled "an act relating to Banks;" and the question being taken, the House disagreed to said amendments.

(H. 153.) The House proceeded to consider the motion made by Mr Woodbridge, on the 10th instant, to reconsider the vote, by which the House, on the 9th instant, passed the bill entitled "an act in addition to

'an act relating to Banks,' approved October 28th, 1840," which motion had been ordered to lie on the table.

And the question being taken, the House reconsidered their said vote.

Mr. Harrington moved to postpone said bill to the first day of January next.

And on the question, shall the bill be postponed as thus moved? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Ambler,	Graves,	Richardson,
Atwood,	Green,	Robbins,
Bailey of Elmore,	Harrington,	Roscoe,
Barber of Enosburgh,	Hartshorn,	Ross,
Barney,	Hinds,	Russ,
Barton,	Holden,	Russell,
Bliss,	Howard of Benson,	Sanford of Castleton,
Bogue,	Howe of Vernon,	Sanford of Cornwall,
Bowe,	Howe of Williamstown,	Shafter,
Brooks,	Jackson,	Sheldon,
Brown of Whiting,	Janes,	Skiff,
Bump,	Jones of Dover,	Slack,
Caldwell of Lincoln,	Jones of Waitsfield,	Smeed,
Canfield,	Keese,	Smith of Addison,
Carpenter,	Kellogg,	Smith of Hinesburgh,
Chamberlin,	Kidder,	Smith of Monkton,
Clark,	Kinsley,	Stark,
Cobb of Tinmouth,	Lackie,	Stoddard,
Colby,	Ladd of Grand Isle,	Tracy,
Cummings,	Ladd of Wolcott,	Tuttle of Sandgate,
Cushman,	Lamb,	Tyler,
Daniels,	Leavenworth,	Van Sicklen,
Davis of Baltimore,	Lockwood,	Wheeler of Reading,
Edmonds,	Lyon,	Wheeler of Winhall,
Ellis,	Morse,	Whipple,
Emery,	Mott,	Whitcomb,
Field,	Noyes,	White,
Fish,	Paddock,	Whitelaw,
Flagg,	Peake,	Wiley,
Folsom,	Perry,	Winslow,
Foster of Berlin,	Prentiss,	Woodbridge,—93.

Those who voted in the negative are, Messrs.

Adams,	Eager,	McLoud,
Bacon,	Ellsworth,	Morrill of Canaan,
Bailey of Lemington,	Flint of Lowell,	Needham,
Baker,	Fuller,	Norris,
Barr,	Grow,	Page of Corinth,
Bennett,	Harris of Mansfield,	Page of Plainfield,
Boardman of Hydepark,	Hazen,	Page of Westminster,
Bowman,	Hollister of Marshfield,	Parker,
Bradley,	Jewett,	Peck,
Brigham,	Kent,	Perkins,
Cobb of Strafford,	Marshall,	Pettibone,
Colton,	Martindale,	Small,
Davis of Norwich,	McFarland,	Spalding,

Sprague,	Vilas,	Webster of Cabot,
Taylor,	Walker,	Wells,—45.

So it passed in the affirmative.

(S. 72.) The bill from the Senate entitled "an act in amendment of Chapter 80 of the Revised Statutes" was read the third time, and passed.

(S. 27.) Mr. Colby, from the Judiciary Committee, to which was referred the bill from the Senate entitled "an act altering the 6th and defining the 32d section of the 45th Chapter of the Revised Statutes," reported the same without amendment.

And said bill was read the third time and passed.

(H. 6.) The House took into consideration the amendments proposed by the Senate to the bill entitled "an act in addition to Chapter 29 of the Revised Statutes," and it was

Resolved, to concur in said amendments.

(S. 81.) The bill from the Senate entitled "an act relating to the collection of taxes" was read the first, second, and third time, and passed.

(S. 52.) The bill from the Senate entitled "an act in amendment of Chapter 80 of the Revised Statutes" was read the first time.

Mr. Canfield moved that said bill lie on the table and be made the order of the day for four o'clock on Monday morning next.

And the question being taken, it passed in the affirmative.

(S. 83.) The bill from the Senate entitled "an act fixing the time for holding the County Court in the County of Chittenden" was read the first, second and third time, and passed.

(H. 174.) Mr. Davis of Norwich, on leave, introduced a bill entitled "an act to pay Ferrand F. Merrill the sum therein mentioned."

Which was read the first and second time.

The rule requiring the engrossing of bills was dispensed with, and said bill was read the third time, and passed.

(H. 121.) The House proceeded to consider the bill entitled "an act in addition to Chapter 77 of the Revised Statutes" which had been returned from the Senate with proposals of amendment; and it was

Resolved, to concur in said proposed amendments.

(H. 150.) The House proceeded to consider the amendment proposed by the Senate to the bill entitled "an act to pay Chauncey Goodrich the sum therein mentioned," which amendment proposed to strike out the words "*seven hundred*" before the word "*dollars*," and insert the words "*eight hundred and fifty*," thereby proposing to pay to said Chauncey Goodrich the sum of eight hundred and fifty dollars for printing two hundred and ninety copies of the 13th volume of the Vermont Reports.

And the question being put, the House refused their concurrence in said proposed amendment.

The House proceeded to consider the amendments proposed by the Senate to the following bills:

(H. 94.) "An act relating to the United States deposit money."

(H. 147.) "An act in addition to Chapter 29 of the Revised Statutes."

(H. 160.) "An act in amendment of section 2 of Chapter 43 of the Revised Statutes."

And it was

Resolved, To concur in said proposed amendments.

(H. 94.) The title of the bill (H. 94) was amended, agreeably to the proposal of amendment of the Senate, to read—"*an act relating to the trustees of the United States' deposit money.*"

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—The Senate have resolved to recede from their amendments proposed to the bill from the House (H. 101) entitled "an act relating to Banks."

(S. 51.) The Senate concur in the amendment proposed by the House to the bill entitled "an act to pay John S. Pettibone the sum therein mentioned."

(H. 150.) The Senate *insist* on their amendment proposed to the bill entitled "an act to pay Chauncey Goodrich the sum therein mentioned."

(H. 167.) The Senate do not concur in passing the bill entitled "an act to repeal section 2 of an act relating to the Winooski Turnpike."

(S. 73.) Mr. Prentiss, from the Committee on Education, to which was referred the bill from the Senate entitled "an act directing the Commissioner of the School Fund to cancel demands against the University of Vermont," reported that it is inexpedient to legislate upon the subject at the present time.

On motion of Mr. Vilas,

Ordered, That said bill lie on the table.

Mr. Canfield, from the select committee to which was referred, by resolution, so much of the Governor's message as relates to the late troubles in Rhode Island, submitted a report.

Mr. Harrington, from the minority of said committee, submitted a counter report.

Ordered, That said reports lie on the table, and that the same be printed in the journal. [See Appendix.]

The House adjourned.

EVENING.

Mr. Colby introduced the following resolution:

Resolved, by the Senate and House of Representatives, That the 13th joint rule of the two Houses be suspended until eight o'clock this evening.

Which was read and passed.

(H. 145.) The House proceeded to consider the amendments proposed by the Senate to the bill entitled "an act in addition to, and in alteration of 'an act relating to the Grand List,' approved November 11, 1841."

The first three amendments proposed were disagreed to by the House; and the 4th, 5th and 6th amendments were agreed to.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—The Senate concur in passing the resolution for suspending the 13th joint rule.

(S. 49.) The Senate have passed a bill entitled "an act in addition to Chapter 24 of the Revised Statutes," in which they ask the concurrence of the House of Representatives.

Mr. Pettibone introduced the following resolution:

Resolved, That the unanimous and unfeigned thanks of this House be tendered to the Hon. Andrew Tracy, for the impartial, honorable and dignified manner in which he has discharged the arduous duties of the Chair, during the present session of the Legislature.

Which was read and passed, *unanimously*.

(S. 49.) The bill from the Senate entitled "an act in addition to Chapter 24 of the Revised Statutes," was read the first and second time.

And the question was stated, shall the bill be read the third time? and being taken, was decided in the negative.

And the House refused their concurrence therein.

(S. 38.) The bill from the Senate entitled "an act to constitute a Board of Education" was read the first time.

And the question was stated, shall the bill be read the second time? and being taken was decided in the negative.

And the House refused their concurrence in the passage thereof.

(H. 150.) The House proceeded to consider the amendment proposed by the Senate to the bill entitled "an act to pay Chauncey Goodrich the sum therein mentioned," disagreed to by the House, and upon which the Senate have insisted; and it was

Resolved, That the House do *insist* upon their disagreement to said amendment.

Mr. Shafter, from the select committee to which was referred, by resolution, so much of the Governor's message as relates to a Geological Survey of the State, submitted a report thereon; and on his motion,

Ordered, That said report lie on the table. [See Appendix.]

Mr. Roscoe, from the Committee of Claims, to which was referred the resolution from the Senate, relative to the collecting and arranging of the papers relative to the early history of the State, and for continuing the commission of Henry Stevens in the prosecution of the inquiry as to the claims of Vermont upon the General Government, reported the same with an amendment; which amendment was disagreed to by the House.

And the House refused their concurrence in said resolution.

Resolutions from the Senate:

Resolved, by the Senate and House of Representatives of the State of Vermont, That this State has no sympathies with that legislation which violates the pecuniary obligations of a State, and takes shelter under State sovreignty to evade the force of those obligations.

Resolved, That such a course is a violation of that good faith, and high moral principle, which should regulate alike the conduct of governments and individuals; and that it leaves, upon the character of the government that resorts to it, a stain which nothing but a return to the path of honesty and rectitude, or an indefinite lapse of time, can wipe away.

Resolved, That his Excellency the Governor be requested to transmit a copy of the foregoing resolutions to the Executive of each of the several States.

Which were read.

Mr. Vilas moved to amend the same, by inserting the following additional resolution:

"*Resolved*, That we have no confidence in professions against repudiation, while such professions are not sustained by practice, and that it is our duty to show our faith by our works."

And the question being put, the amendment was agreed to by the House.

And the resolutions, thus amended, passed.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—The Governor has announced to the Senate that he has this day approved and signed bills of the following titles:

(S. 68.) "An act in addition to Chapter 19 of the Revised Statutes, relating to the instruction of the Deaf and Dumb and the Blind."

(S. 70.) "An act to pay Zadock Thompson the sum therein mentioned."

(H. 174.) The Senate concur in passing the bill entitled "an act to pay Ferrand F. Merrill the sum therein mentioned."

Mr. Parker, from the Committee on Bills, reported that said Committee had this day presented to the Governor, for his approval and signature, the following bills:

(S. 27.) "An act altering the 6th and defining the 32d section of the 45th Chapter of the Revised Statutes."

(S. 51.) "An act to pay John S. Pettibone the sum therein mentioned."

(S. 62.) "An act relating to Public Accounts.

(S. 70.) "An act to pay Zadock Thompson the sum therein mentioned."

(S. 72.) "An act in amendment of Chapter 80 of the Revised Statutes."

(S. 81.) "An act relating to the collection of taxes."

(S. 83.) "An act fixing the time for holding the County Court in the County of Chittenden."

(H. 2.) "An act to repeal 'an act in amendment of section 63 of Chapter 28 of the Revised Statutes.'"

(H. 6.) "An act in addition to Chapter 29 of the Revised Statutes."

(H. 94.) "An act relating to the trustees of the United States deposit money."

(H. 101.) "An act relating to Banks."

(H. 112.) "An act relating to freehold qualification."

(H. 121.) "An act in addition to Chapter 77 of the Revised Statutes."

(H. 147.) "An act in addition to Chapter 29 of the Revised Statutes."

(H. 160.) "An act in amendment of section 2 of Chapter 43 of the Revised Statutes."

(H. 174.) "An act to pay Ferrand F. Merrill the sum therein mentioned."

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

MR. SPEAKER:—His Excellency the Governor has this day approved and signed bills of the following titles, namely:

(H. 2.) "An act to repeal 'an act in amendment of section 63 of Chapter 28 of the Revised Statutes."

(H. 6.) "An act in addition to Chapter 29 of the Revised Statutes."

(H. 12.) "An act in alteration of Chapter 25 of the Revised Statutes."

(H. 71.) "An act directing the Treasurer to credit the town of Guildhall the sum therein mentioned."

(H. 94.) "An act relating to the trustees of the United States deposite money."

(H. 101.) "An act relating to Banks."

(H. 112.) "An act relating to freehold qualification."

(H. 121.) "An act in addition to Chapter 77 of the Revised Statutes."

(H. 142.) "An act in addition to Chapter 80 of the Revised Statutes."

(H. 154.) "An act fixing the salary of the Librarian."

(H. 160.) "An act in amendment of section 2 of Chapter 43 of the Revised Statutes."

(H. 166.) "An act in alteration of section 29 of Chapter 18 of the Revised Statutes."

(H. 168.) "An act in relation to the State Library."

(H. 172.) "An act in relation to the collection of State taxes."

(H. 173.) "An act relating to Bank Stock."

The House proceeded to consider the amendment of the Senate proposed to the resolution relative to the reduction of the pay of the members of Congress; which amendment was, to strike out of said resolution the words "*to six dollars per day and three dollars for every twenty miles travel;*" and it was

Resolved, not to concur in said amendment.

Mr. Van Sicklen, from the Committee of Claims, to which was referred the petition of the corporation of the University of Vermont, praying for a remission of a debt due from them to the State School Fund, reported the following resolution:

Resolved, by the Senate and House of Representatives, That the Commissioner of the School Fund be directed to postpone the collection of a certain note, executed to the Commissioner of the School Fund, dated November 20, 1834, on annual interest, signed by George W. Benedict, Frederick Buel, Heman Allen, Charles Adams, Wm. A. Griswold and Wm. J. Seymour, for two thousand dollars; also one other note dated March 31, 1842, for the sum of eight hundred thirty-nine dollars forty two cents, signed by the same persons, except Frederick Buel who is dead, payable at the Bank of Montpelier December 17th, 1842, for the term of one year from the 17th of December A. D. 1842.

Which was read and passed.

A message from the Senate, by Mr. Clarke, their Secretary:

Mr. Speaker:—The Senate insist on their amendments to the bill from the House of Representatives (H. 145) entitled "an act in addition to, and in alteration of 'an act relating to the Grand List,' approved November 11, 1841."

(H. 150.) The Senate *adhere* to their amendment to the bill from this House entitled "an act to pay Chauncey Goodrich the sum therein mentioned," ask a conference on the disagreeing votes of the two Houses, and have appointed Mr. Smalley and Mr. Porter managers of the same on their part.

The House, thereupon, proceeded to consider said message, and it was

Resolved, To *insist* on the disagreement of the House to the said *three first* amendments proposed by the Senate to the bill (H. 145) in relation to the Grand List.

Resolved, That the House do agree to the conference asked by the Senate on the disagreeing votes of the two Houses, on the amendment proposed by the Senate to the bill (H. 150) to pay Chauncey Goodrich,

And Mr. Harrington and Mr. Canfield were appointed managers to conduct the same on the part of the House.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—The Senate insist on their amendment to the resolution for the reduction of the pay of members of Congress.

The House proceeded to consider said message; and it was

Resolved, That the House do *insist* on their disagreement to said amendment.

The House proceeded to consider resolutions from the Senate, in favor of reducing postages and abridging the franking privilege; and it was

Resolved, To concur in the passage of the same.

On motion of Mr. Wardner, the Committee of Ways and Means was discharged from the consideration of the communication from the Governor, relative to the services of Henry Stevens in the prosecution of the inquiry as to the claim of Vermont upon the General Government.

(H. 45.) Mr. Wardner, from the Committee of Ways and Means, to which was referred the bill entitled "an act relating to Public Accounts," asked that said Committee might be discharged from the further consideration thereof, inasmuch as the Senate bill on the same subject had passed both Houses; which request was agreed to by the House.

And said bill was dismissed.

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

MR. SPEAKER:—I am directed by his Excellency the Governor to announce to the House of Representatives, that he has this day approved and signed bills of the following titles, namely:

(H. 147.) "An act in addition to Chapter 29 of the Revised Statutes."

(H. 174.) "An act to pay Ferrand F. Merrill the sum therein mentioned."

(S. 73.) The House proceeded to consider the bill from the Senate entitled "an act directing the Commissioner of the School Fund to cancel demands against the University of Vermont."

And the question was stated, shall the bill be read the second time? and being taken was decided in the negative.

So the House refused concurrence in the passage of said bill.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—The Senate do not concur in the amendment proposed by the House of Representatives to the resolutions relative to repudiation.

The Governor has announced to the Senate that he has this day approved and signed bills of the following titles, namely:

(S. 72.) "An act in amendment of Chapter 80 of the Revised Statutes."

(S. 83.) "An act fixing the time for holding the County Court in the County of Chittenden."

(S. 81.) "An act relating to the collection of taxes."

(S. 62.) "An act relating to Public Accounts."

(S. 51.) "An act to pay John S. Pettibone the sum therein mentioned."

(S. 27.) "An act altering the 6th and defining the 32d section of the 45th Chapter of the Revised Statutes."

The Committee on the State Prison, in pursuance of request, was discharged from the further consideration of the Reports of the Directors

and Superintendent of the State Prison, and the papers accompanying the same.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—The Senate *adhere* to their amendment to the resolution relative to the reduction of the pay of members of Congress.

(H. 145.) The Senate *adhere* to their *three first* amendments to the bill from the House of Representatives in relation to the Grand List, ask a conference on the disagreeing votes of the two Houses, and have appointed Messrs. Cutts, Starr and Hatch managers at the same on their part.

(H. 150.) The Senate have agreed to the report of the conferees on the disagreeing votes of the two Houses on the amendment depending to the bill entitled "an act to pay Chauncey Goodrich the sum therein mentioned," and have passed said bill, amended accordingly.

(H. 150.) Mr. Harrington, from the Committee of Conference on the part of the House, on the disagreeing votes of the two Houses, on the amendment proposed by the Senate to the bill to pay Chauncy Goodrich, reported—

That they have met the conferees on the part of the Senate on the disagreeing votes of the two Houses on said bill, and that they have agreed to recommend to their respective Houses the following modification of the said amendment of the Senate: strike out the words "*eight hundred and fifty*," and insert the words "*seven hundred and seventy-five*," before the word "*dollars*."

The House proceeded to consider said report, and it was

Resolved, to concur therein, and that the bill be amended accordingly.

Mr. Wardner, from the select committee, to which was referred so much of the Governor's message as relates to a protective tariff, reported the following resolutions:

Resolved, by the Senate and House of Representatives of the State of Vermont,

1. That it is highly proper, if not an imperative duty, for the representatives of the people, on suitable occasions, to declare their sentiments on important questions of public policy.

2. *Resolved*, That manual labor is honorable, and that civilization, and all improvement, intellectual and moral, are dependent upon it.

3. *Resolved*, That the systems of political economy of the old world, and the laws made in accordance with them, are mainly based upon the unjust rule of giving the laboring classes a mere subsistence, consequently the great body of the people, having no voice in the government, feel little or no responsibility resting upon them.

4. *Resolved*, That the American People, from their love of freedom and hatred of oppression, have adopted as a principle, that each member of the community is a constituent part of the government, each sharing alike in the responsibilities and advantages of a state of perfect equality.

5. *Resolved*, That the great mass of our citizens, under the most favorable circumstances, must always rely upon the avails of their labor, not only for a comfortable subsistence, but for the means to meet the expenses of a suitable education and training of their children so as to enable them to act intelligently on public affairs, and thereby save themselves from becoming the victims of false professions and the base arts of unprincipled aspirants.

6. *Resolved*, That a protective tariff is indispensable to a just reward of

labor, it being the only barrier to a foreign competition, which cannot be otherwise than destructive alike to the industry and morals of the country.

7. *Resolved*, That the Tariff law, lately passed by Congress, though not meeting the wishes of the friends of protection in all its provisions, promises, nevertheless, in its operation, to be greatly beneficial to the country; and although it has not yet produced much advancement in the price of the great staple of Vermont, it has had the effect to arrest that sinking tendency in the value of wool, which existed before its enactment.

8. *Resolved*, That the opinion expressed by a portion of our citizens, that the present tariff affords a greater protection to the manufacturers than to the growers of wool, is erroneous, as a slight inspection of the tariff law will show.

9. *Resolved*, That if our woollen manufacturers are not protected, so as to enable them to run their machinery profitably, a duty on foreign wool, however high, will be of little benefit to the American farmer.

10. *Resolved*, That while we extend our thanks to our delegation in both Houses of Congress for their persevering efforts in procuring the passage of the tariff law, we take the occasion to urge upon them the use of all honorable means in their power to defend and maintain its protective provisions, without which the country cannot prosper.

11. *Resolved*, That his Excellency the Governor be requested to forward a copy of these resolutions to each of our Senators and Representatives in Congress.

Which were read.

Mr. Harrington, from the minority of said committee, reported the following resolution:

Resolved, by the Senate and House of Representatives, That our Senators in Congress be instructed and our Representatives be requested, to use all honorable means in their power, to procure such a modification of said Tariff law as shall more effectually protect the wool-growing interest of Vermont.

Which was read.

The House proceeded to consider the resolutions reported by the majority of said committee.

And the *first seven* resolutions in the series were adopted.

Mr. Harrington moved to substitute in the place of the *eighth* resolution, the resolution reported by the minority.

And on the question, will the House agree to said proposed substitution? the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Adams,	Colby,	Grow,
Bacon,	Colton,	Harrington,
Bailey of Lemington,	Davis of Norwich,	Harris of Mansfield,
Baker,	Eager,	Hazen,
Barr,	Ellsworth,	Hill,
Bennett,	Flint of Lowell,	Hodgkins,
Bowman,	Folsom,	Hollister of Marshfield,
Bradley,	Glazier,	Ingalls,
Brigham,	Gould,	Jackson,
Charlton,	Gove,	Jewett,
Cobb of Strafford,	Griggs,	Jones of Dover,

Kent, Norris, Small,
Ladd of Wolcott, Page of Corinth, Soule,
Marshall, Page of Westminster, Spalding,
McFarland, Parker, Taylor,
McLoud, Peck, Turner,
Moon, Perkins, Tyler,
Morrill of Canaan, Pettibone, Vilas,
Morrill of Danville, Rice, Walker,
Needham, Rowell, Wells,—60.

Those who voted in the negative are, Messrs.

Ambler, Graves, Roscoe,
Ball, Green, Ross,
Barber of Enosburgh, Hartshorn, Russ,
Barber of Mount Holly, Hinds, Russell,
Barton, Holden, Sanford of Castleton,
Bogue, Howard of Benson, Shafter,
Bowe, Howe of Vernon, Sheldon,
Briggs, Janes, Skiff,
Brooks, Jones of Waitsfield, Slack,
Brown of Whiting, Keese, Smeed,
Bump, Kellogg, Smith of Addison,
Caldwell of Lincoln, Kidder, Smith of Hinesburgh,
Canfield, Kinsley, Sprague,
Carpenter, Lackie, Stark,
Chamberlin, Ladd of Grand Isle, Stoddard,
Clark, Lamb, Tracy,
Cummings, Leavenworth, Tuttle of Weathersfield,
Cushman, Lockwood, Van Sicklen,
Daniels, Lyon, Wardner,
Davis of Baltimore, Mott, Warner,
Eames, Noyes, Wheeler of Winhall,
Emery, Paddock, Whipple,
Field, Perry, Whitcomb,
Fish, Prentiss, White,
Foster of Berlin, Richardson, Whitelaw,
Fox, Robbins, Wiley,—78.

So it was decided in the negative.

And the question was stated, shall said *eighth* resolution pass?

On which question the yeas and nays, having been demanded, were taken, and were as follows:

Those who voted in the affirmative are, Messrs.

Ambler, Bump, Field,
Ball, Caldwell of Lincoln, Fish,
Barber of Enosburgh, Canfield, Foster of Berlin,
Barber of Mount Holly, Carpenter, Fox,
Barton, Chamberlin, Graves,
Bliss, Clark, Green,
Bogue, Cummings, Hartshorn,
Bowe, Cushman, Hinds,
Bowman, Daniels, Holden,
Briggs, Davis of Baltimore, Howe of Vernon,
Brooks, Eames, Jackson,
Brown of Whiting, Emery, Janes,

Jones of Waitsfield,	Richardson,	Stark,
Keese,	Robbins,	Stoddard,
Kellogg,	Roscoe,	Tracy,
Kidder,	Russ,	Tuttle of Weathersfield,
Kinsley,	Russell,	Van Sicklen,
Lackie,	Sanford of Castleton,	Wardner,
Ladd of Grand Isle,	Sanford of Cornwall,	Warner,
Lamb,	Shafter,	Wheeler of Winhall,
Lockwood,	Sheldon,	Whipple,
Lyon,	Skiff,	Whitcomb,
Mott,	Slack,	White,
Noyes,	Smeed,	Whitelaw,
Paddock,	Smith of Addison,	Wiley,
Perry,	Smith of Hinesburgh,	Winslow,—80.
Prentiss,	Sprague,	

Those who voted in the negative are, Messrs.

Adams,	Griggs,	Norris,
Bacon,	Grow,	Page of Corinth,
Bailey of Lemington,	Harrington,	Page of Westminster,
Baker,	Harris of Mansfield,	Parker,
Bennett,	Hazen,	Peck,
Bradley,	Hill,	Perkins,
Brigham,	Hodgkins,	Pettibone,
Caldwell of Mendon,	Hollister of Marshfield,	Rice,
Charlton,	Ingalls,	Rowell,
Cobb of Strafford,	Jewett,	Small,
Colby,	Jones of Dover,	Soule,
Colton,	Kent,	Spalding,
Davis of Norwich,	Ladd of Wolcott,	Taylor,
Eager,	Marshall,	Turner,
Ellsworth,	McLoud,	Tyler,
Flint of Lowell,	Moon,	Vilas,
Folsom,	Morrill of Canaan,	Walker,
Glazier,	Morrill of Danville,	Webster of Cabot,
Gould,	Needham,	Wells,—58.
Gove,		

So it passed in the affirmative.

The remaining resolutions in said series were then passed.

The House proceeded to consider the resolution reported by the minority of said committee; and the same was adopted.

(H. 145.) The House proceeded to consider the message from the Senate on the bill (H. 145) relative to the Grand List, in which the Senate asked a conference on the disagreeing votes of the two Houses on the amendments of the Senate depending to said bill; and it was

Resolved, That the House agree to the conference asked by the Senate thereon.

And Messrs. Shafter, Vilas and Rice were appointed managers at the same on the part of the House.

The House proceeded to consider the amendment proposed by the Senate to the resolution relative to the reduction of the pay of members of Congress, disagreed to by the House, and to which the Senate have have adhered; and it was,

Resolved, That the House do *adhere* to their disagreement to said amendment.

And the Senate having thus resolved to *adhere* to their amendment, and the House to *adhere* to their disagreement, said resolution was lost.

Mr. Woodbridge, from the select committee, to which were referred the memorial of Nathan Foster and others, upon the veto power of the President of the United States, and the resolution referring to committee so much of the Governor's message as relates to said subject, reported that, in consequence of attendance upon other committees, said committee had not had time to mature a report upon the subject, and asked that said committee might be discharged from any further consideration of said memorial and resolution.

Which request was agreed to by the House, and the committee discharged accordingly.

The House proceeded to consider the resolutions from the Senate relating to repudiation, which had been concurred in by the House with a proposal of amendment, and which had been returned from the Senate with their disagreement thereto; and it was

Resolved, That the House do *insist* on their said amendment.

A message from the Senate, by Mr. Clarke, their Secretary:

Mr. Speaker:—The Senate insist on their disagreement to the amendment proposed by the House of Representatives to the resolutions relative to repudiation.

The House proceeded to consider said message, and it was

Resolved, That the House do *adhere* to their said amendment.

A message from the Senate, by Mr. Stansbury, Assistant Secretary:

Mr. Speaker:—The Senate have agreed to the report of the conferees on the disagreeing votes of the two Houses on the amendments depending to the bill (H. 145) entitled "an act in addition to, and in alteration of, 'an act relating to the Grand List,' approved November 11, 1841," and have passed said bill amended accordingly.

The House proceeded to consider the resolution, introduced by Mr. Peck on the 21st ultimo, relative to the present tariff law, and said resolution was dismissed.

The House proceeded to consider the resolution relative to the tariff law, introduced by Mr. Keith, as spread out on the journal of the 8th instant.

On motion of Mr. Cushman, said resolution was amended, by striking out all after the word "*whereas*," in the preamble, and inserting the following:

"In the opinion of this General Assembly Congress have the constitutional power to impose duties for the purposes of protection, and believing that all classes should be equally protected:

Resolved, therefore, by the Senate and House of Representatives, That our Senators in Congress be instructed and our Representatives requested, to use their influence to procure such alterations in our revenue laws, (if needed,) as will secure equal protection to all branches of American Industry."

And the resolution, so amended, passed.

(H. 145.) Mr. Shafter, from the managers appointed to conduct the con-

ference on the part of the House on the disagreeing votes of the two Houses on the amendments of the Senate to the bill entitled "an act in addition to, and in alteration of, 'an act relating to the Grand List,' approved November 11, 1841," made a report which was read; when it was

Resolved, That this House do agree to said report; and that they concur in the amendments of the Senate, as modified and amended agreeably to said report.

Mr. Parker, from the Committee on Bills, reported that said Committee had this day presented to the Governor, for his approbation and signature, bills of the following titles, namely:

(H. 150.) "An act to pay Chauncey Goodrich the sum therein mentioned."

(H. 145.) "An act in addition to, and in alteration of, 'an act relating to the Grand List,' approved November 11, 1841."

Ordered, That a message be sent, by the Clerk, to the Governor, to inform him that the House have, on their part, completed the business of the session; and to inquire whether he has any further communication to make to them.

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

Mr. Speaker,—I am directed by his Excellency the Governor to announce to the House of Representatives, that he has this day approved and signed the bill ((H. 150) entitled "an act to pay Chauncey Goodrich the sum therein mentioned."

A message, in writing, was received from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs, which was read, as follows:

Executive Chamber,
Nov. 12, 1842, 12 o'clock, P. M.

I have to inform the House of Representatives that a bill having this moment been presented to me, which is not engrossed, and is in such a form that it cannot be read, I shall have further communication to make at five o'clock on Monday morning.

CHARLES PAINE.

To the Hon. Andrew Tracy,
Speaker of the House of Representatives.

The House adjourned.

Monday, Nov. 14, 1842, 5 o'clock Morning.

A message from the Governor, by Mr. Hale, Secretary of Civil and Military Affairs:

Mr. Speaker:—I am directed by his Excellency the Governor to announce to the House of Representatives that he has this day approved and

signed the bill (H. 145) entitled "an act in addition to, and in alteration of, 'an act relating to the Grand List,' approved November 11, 1841."

I am also directed to inform the House of Representatives that his Excellency has no further communication to make to them.

Ordered, That a message be sent, by the Clerk, to the Senate, to inform them that the House have, on their part, completed the business of the session, and are ready to adjourn without day.

A message from the Senate, by Mr. Clarke, their Secretary:

MR. SPEAKER:—The Senate concur with the House of Representatives in passing the resolution for postponing the collection of the demands in favor of the School Fund against the University of Vermont.

I am directed to inform the House that the Senate have, on their part, completed the business of the session, and are ready to adjourn without day.

Whereupon,

In pursuance of the joint resolution of the two Houses, the Speaker declared the House adjourned without day.

FERRAND F. MERRILL,
Clerk of the House of Representatives.

APPENDIX.

JOURNAL OF THE JOINT ASSEMBLY,

A. D. 1842.

MONTPELIER, OCT. 13, 1842.

The Senate and House of Representatives, in pursuance of a concurrent resolution, formed a Joint Assembly for the purpose of receiving the report of the Canvassing Committee:

His Honor, WAITSTILL R. RANNEY, in the Chair.

CHAUNCEY L. KNAPP, Clerk.

The report of the Canvassing Committee was received and read, and is as follows:

To the General Assembly of the State of Vermont:

The Committee appointed to receive, sort, and count the votes for Governor, Lieutenant Governor and Treasurer, have attended to the duty assigned them, and report, that the whole number of votes given for Governor, was 53,425

Necessary for a choice	26,713	
Of the above number of votes		
Charles Paine received		27,167
Nathan Smilie		24,130
Charles K. Williams		2,093
Scattering		35

The Committee therefore report, that the freemen have elected

CHARLES PAINE,

Governor for the year ensuing.

The Committee further report, that the whole number of votes given for Lieutenant Governor, was 52,964

Necessary for a choice	26,483	
Of the above number votes		
Waitstill R. Ranney received		27,713
Edward D. Barber		25,154
Scattering		97

The Committee therefore report, that the freemen have elected

WAITSTILL R. RANNEY,

Lieutenant Governor for the year ensuing.

The Committee further report, that the whole number of votes given for Treasurer, was 53,556

Necessary for a choice	26,779	
Of the above number of votes		
John Spalding received		27,610
Daniel Baldwin		24,137
Harry Hale		1,703
Scattering		6

The Committee therefore report, that the Freemen have elected

JOHN SPALDING,

Treasurer for the year ensuing.

All which is respectfully submitted.

E. N. BRIGGS, *Chairman.*

JOSEPH WARNER, *Secretary.*

The Joint Assembly dissolved.

C. L. KNAPP, *Clerk.*

OCTOBER 18, 1842.

Pursuant to a concurrent resolution, the Senate and House of Representatives met in Joint Assembly for the purpose of electing Judges of the Supreme Court, and the following appointments were duly made, to wit:

CHARLES K. WILLIAMS, Chief Justice.
STEPHEN ROYCE, 1st Assistant Justice.
ISAAC F. REDFIELD, 2d " "
MILO L. BENNET, 3d " "

The Joint Assembly adjourned to to-morrow, 3 o'clock forenoon.

C. L. KNAPP, *Clerk.*

OCTOBER 18, 1842.

The Senate and House of Representatives formed a Joint Assembly for the election of county officers, when nominations from sundry county conventions were read and duly confirmed; and after several meetings of the Joint Assembly, held in pursuance of adjournments from time to time, until November 12th, the election of county officers was completed, and the several persons whose names appear in the list of county officers, beginning on page 7, were duly appointed. (See list.)

The Joint Assembly dissolved.

C. L. KNAPP, *Clerk.*

OCTOBER 19, 1842.

The Joint Assembly met, pursuant to adjournment, for the purpose of completing the election of the Judges of the Supreme Court.

The ballots being taken, sorted and counted, for Fourth Assistant Judge,

WILLIAM HEBARD,

having a majority of all the votes, was declared duly elected.

The Joint Assembly dissolved.

C. L. KNAPP, *Clerk.*

OCTOBER 19, 1842.

Pursuant to a concurrent resolution of both Houses, the Joint Assembly met for the purpose of electing a Secretary of State, Auditor of Accounts against the State, and Auditor in the Treasury Department, and the following appointments were duly made, to wit:

JAMES McM. SHAFTER, Secretary of State.

DAVID PIERCE, Auditor of Accounts against the State.
JOSEPH BERRY, Auditor in the Treasury Department.

The Joint Assembly dissolved.

D. W. C. CLARKE, *Clerk.*

OCTOBER 21, 1842.

Pursuant to a concurrent resolution of both Houses, the Senate and House of Representatives met in the Representatives' Hall, for the purpose of comparing their respective ballots for a Senator to represent this State in the Congress of the United States, for the term of six years from and after the third day of March next.

The respective journals of the two Houses having been read, it appeared that the

HON. WILLIAM UPHAM,

had received a majority of all the votes, and proclamation of his election was made accordingly by the President of the Joint Assembly.

C. L. KNAPP, *Clerk.*

OCTOBER 25, 1842.

Pursuant to a concurrent resolution, the Senate and House of Representatives formed a Joint Assembly, and proceeded to make the following appointments, to wit.:

WILLIAM WESTON, Reporter of Decisions of the Supreme Court.

CALVIN JEWETT, of St. Johnsbury,
OLIVER P. CHANDLER, of Woodstock,
ENOCH D. WOODBRIDGE, of Vergennes,
} Commissioners of the Deaf, Dumb & Blind.

WILLIAM T. BURNHAM, Sergeant-at-Arms.

The Joint Assembly for the election of Superintendent, Chaplain, and Directors of the State Prison, was postponed to Tuesday next, ten o'clock, A. M.

C. L. KNAPP, *Clerk.*

OCTOBER 26, 1842.

Pursuant to a concurrent resolution, the Senate and House of Representatives met in the Representatives' Hall for the purpose of comparing the ballotings of the respective Houses for the election of a Senator to represent this State in the Congress of the United States, for the unexpired term of the Hon. Samuel Prentiss, resigned. Whereupon the proceedings of the Senate and House of Representatives were read, and it appeared that the

HON. SAMUEL C. CRAFTS,

had received a majority of all the votes, and proclamation of his election was accordingly made by the President of the Senate.

C. L. KNAPP, *Clerk,*

NOVEMBER 4, 1842.

The Senate and House of Representatives met, in pursuance of concurrent resolutions, when the following appointments were made, to wit:

EBENEZER C. TRACY, Chaplain to the State Prison.

ABNER FIELD,
STEPHEN PRENTISS, } Directors of State Prison.
DANIEL DENISON,

ROBERT PIERPOINT, Bank Commissioner.

ROBERT PIERPOINT, Bank Inspector.

NORMAN BLACKMER, Brigadier General,
1st Brigade, 1st Division of Militia.

J. McM. SHAFTER, *Clerk.*

NOVEMBER 8, 1842.

The Senate and House of Representatives met pursuant to adjournment for the purpose of appointing a Superintendent of the Vermont State Prison.

The ballots being taken, sorted and counted, CHIPMAN SWAIN was duly elected.

The Joint Assembly dissolved.

J. McM. SHAFTER, *Clerk.*

COUNTY OFFICERS.

BENNINGTON COUNTY.

Gurdon B. Southworth, Benj. F. Olin, } *Assistant Judges of the Co. Court.*

John V. D. S. Mc Eowin, Bennington, *Sheriff.*

Aaron Denio, *High Bailiff.*

Harmon Canfield, *State's Attorney.*

O. C. Merrill, *Judge of Probate for the district of Bennington*

Leonard Sargeant, *Judge of Probate for the district of Manchester.*

O. C. Merrill, John Hicks, Henry Robinson, *commissioners for the jail at Bennington.*

John C. Roberts, Aaron Baker, Wm. M. Sperry, *commissioners for the jail at Manchester.*

JUSTICES OF THE PEACE.

Arlington.

Reuben Barney,
Edward M Aylesworth,
John B Lathrop,
Harmon Canfield,
Ethan Stone,
Wm D Hoyt,
Lemuel Hawley,
Jesse Harrington,
Meritt Hurd.

Bennington.

Samuel H Blackmer,
Pierpoint Isham,
Alanson P Lyman,
William S Southworth,
John S Robinson,
John Hicks,
Simeon Morse,
Green Blackmer,
William Burt,
Aaron Ketcham,
Paul M Henry,
Peleg Millington,
Bradford Godfrey,
George Benton,
Orsamus C Merrill,
Alson Squires,
Calvin Gibson,
Norman Blackmer,
Lemuel Morgan,
Luther Park,
Mason C Morgan,
Hymen Tuttle,
John F Robinson,
Isaac Gale,
Nial Rich,
Alvah Rice,
Edward S Pratt,
Elhanan W. Stratton,
Wm J. Watson,
Elisha Root,
John Vanderspeigel.

Dorset.

Return M Underhill,
George W Farwell,
Daniel Kent,
W J Soper,
John T Griffith,
Heman Morse,
Abiel Blanchard,
James Curtis,
Benjamin Ames,
George B Holley.

Glastenbury.

Asa G Hewes,
Ishmael R Elwell,
Alfred Elwell,
John Elwell,
John Matteson.

Landgrove.

Amori Benson,
Gideon Davis,
Elijah Woodard,
Calvin P. Mead,

James Martin,
Aaron P. Leland.

Manchester.

James Wheaton,
James Hickox,
Azel Marsh,
Daniel Roberts jr.
Levi C. Orvis,
John B. Burritt,
Mahalon Cook,
David Anderson,
J F Farnsworth,
Aaron Baker,
Matthew B Goodwin,
Solomon Bentley jr.
N N Richardson,
Michael Johnson.

Peru.

Israel Batchelder,
Amherst Messenger,
James Wait,
Ira K Batchelder,
Freeman Lyon.

Pownal.

Sylvanus Danforth,
Sebastian Wager,
Solomon Bennett,
Elijah Barber,
Martin Kimball,
John Niles,
Joseph Perqua,
Christopher Mason,
David Exford,
Benj. Gardner 3d,
Stephen Burlison,
David Gardner,
Homer P Merchant,
Joseph C Stillman
Moses Whipple,
Samuel Wright,
Levi Lincoln,
Daniel Bates,
Noel Barber,
Loan J Marsh,
Josiah Wright,
Barber Thompson,
Erastus J Albra,
Homer Myers,
Norman F Ovett,
Blackman E Brownall,
Joseph Myers jr.
Wm Reynolds jr.
William R Blanchard,
Joseph Varin,
Aaron Hastings,
Elihu Dutcher,
Jabez Dunham,
Henry Amidown,
John A Moore,
F J M H P Varin,
Geo W Glover,
Joel T Morgan.

Readsboro'.

Jonathan Houghton,
Nathaniel Dalrymple,
Daniel Carpenter,
Robert Burrington,
Isaac Este,
Daniel Goodell,
Richard Carpenter,
Darius Ballou,
Joy Bishop jr.
Calvin W Baker,
Charles Bond,
Joel Houghton,
Otis Puffer,
Elson Bishop,
John Hicks,
Henry Holbrook,
Wm Bishop.

Rupert.

Nathan Burton,
Simeon Rising,
Joseph Hastings,
John Moore,
Hiram S Smith,
Henry Sheldon,
Seth Sheldon.

Sandgate.

Horace Hurd,
Theodore Sanderson,
Levi Randall,
Desmond Prindle,
Roswell Tuttle.

Searsburgh.

John Knapp,
Joseph Crosier,
Ashley Stone,
John Squires.

Shaftsbury.

Samuel Ames,
Eli Howe,
Lemuel Bottum,
A S Olin,
Hiram Barton,
Dennis George,
Hiram Cole,
Jared Haywood,
John Johnson,
Jeremiah Fisk,
Warner Matteson,
Freeman Johnson,
Nathan L Cross,
Martin Ames,
John Niles,
Austin Cole,
William D Taft,
Henry Matteson.

Stamford.

Otis Phillips,
Elisha Lake,
Seneca Phillips,
Calvin Sampson,
Tyler Summer,
John L Willmarth,
Stephen C Millard,
James Houghton.

Sunderland.

Joel Kenney,
F. McLaughlin,
William Kelley,
Ethan Bradley.

Winhall.

Reuben Brooks,
Francis Kidder,
Silas Eddy,
John T Leonard,
John Jackson,
Jesse F Butterfield,
Horace Bond,
Beriah Wheeler.

Woodford.

John Collard,
Elijah A Cutler,
Henry Loveland,
Mason Robinson,
Joel Hosmer,
Joseph Knapp,
Wm Alverson.

WINDHAM COUNTY.

Wm. R. Shafter, } *Assistant Judges of the County Court.*
John Smith, }
Russel Hyde, Bellows Falls, *Sheriff.*

Royal Tyler, *State's Attorney.*
Pardon T. Kimball, *High Bailiff.*
Ellery Albee, *Judge of Probate for the District of Westminster.*
Marshall Miller, *Judge of Probate for the District of Marlboro'.*
William Adams, Benj. Ormsbee, Nahum Eager, *Jail Commissioners.*

JUSTICES OF THE PEACE.

Athens.

Abraham Ball,
Micah Davis,
Amos Davis,
T. H. Whitney,
Lyman Alexander,
Daniel Fuller,
Tisdale Porter,
Nathaniel Balch,
Mark Ball,
John Austin.

Brattleboro'.

Lemuel Whitney,
Stephen Greenleaf,
Jairus Hall,
Samuel Elliot,
Asa Keyes,
Henry Smith,
Paul Chase,
J. D. Bradley,
Samuel Root,
Joseph Goodhue,
Willard Ames,
Samuel Earl, jr.,
Jonathan Smith,
Willard Martin,
John R Blake,
Joseph Steen,
Larkin G Mead,
Henry Clark,
Ebenezer Wells,
Charles J Walker,
Lafayette Clarke.

Brookline.

Anthony Mason,
Jacob Burditt,
Samuel Stebbins,
Samuel Bennett,
Ephraim Park,
Isaac Wellman,
Burrilla Stickney,
Joel Harwood,
Ephraim H Mason.

Dover.

Lyman Howe,
Aaron P. Perry,
Laban Jones,
Asaph Haskins,
David Dexter jr,
James Minor,
Liberty Howe,
Ebenezer Sears, jr.
William Walker,
William H. Jones.

Dummerston.

Joseph Duncan,
Asa Boyden,
Joel Chandler,
Enos Leonard,
Asa Knight,
Asa Dutton,
Samuel Knight,
Isaac N. Knapp,
J. F. Stearns,
Joseph Dix,
John Clark,
Thomas Miller,
John B. Miller,
Martin Moore.

Grafton.

Benjamin Dwinnell,
Thaddeus Taylor,
Peter W. Dean,
David L. Putnam,
Prosper Merrill,
Benjamin H. Bridgman,
Erastus Burgess,
Gideon Palmer,
Ambrose Burgess,
Samuel Walker,
Hymen Burgess,
Asher Putnam,
John Gibson,
Abiel Stoddard,
Thomas Hill,
Abisha Stoddard,
Charles Perry,
John Wier.

Guilford.

Samuel Sikes,
Nathan P. Chapin,
Ward Bullock,
George Eells,
Barnard Lynde,
James Noyes,
Benjamin W. Stevens,
John Lynde,
Isaac Brown,
Ephraim Tyler,
Aaron C. Barney,
William G. Cutting,
Joseph G. Taylor,
John Melendy,
Lucius P. Melendy,
Gardner Briggs.

Halifax.

Amos Tucker,
Isaac Worden,
James L. Stark,
Rufus K. Henry,
Nicholas Clark,
Sanford Plumb,
Reuben Hatch,
John Fowler,
Isaac B. Barber,
Jonas Scott,
Wm H. Stark,
Stephen Otis.

Jamaica.

Nathaniel Robbins,
Alpheus Kellogg,
Ziba Chapin,
Hammond Livermore,
James Brown,
Joel Holton,
Timothy Goodale,
Squire Gleason,
S. T. R. Cheney,
Solomon Newell,
David Eddy.

Londonderry.

Luther Stowell,
Niles Aldrich,
Thomas S. Vial,
Abial Whitman jr.,
Reuben Harrington,
Alfred Pierce,
Barnet Wait,
David Arnold,
Alpheus Wright,
Horace Stowell,
Chester Benson,
Samuel Livermore.

Marlboro'.

Ebenezer Tucker,
Pliney Higley,

Phineas Mather,
Ira Aadms,
Ebenezer Parsons,
William Newton,
Lyman Brown,
Robinson Winchester,
Hiram Chase.

Newfane.

Josiah Taft,
William Perry,
Sylvanus Sherwin,
William H Williams,
Charles K Field,
Marshall Miller,
Royal Tyler,
George Fisher,
William L Williams,
Nahum Houghton,
Ebenezer Morse,
Stephen Warren,
Chester Olds,
Esec Atwood,
Benjamin A Ormsbee,
Benjamin Eager,
Jonathan Hall,
Sir Isaac Newton,
Calvin Ward,
Haynes E Baker,
Artemas Bruce,
George A Morse,
John Newman,
Benjamin Ormsbee,
Jacob Allen,
Asaph Coy,
George Wheeler,
Henry Wheelock.

Putney.

Phineas White,
Timothy Underwood,
David Crawford,
Ephraim Brown,
Thomas White,
Ferris Moore,
Israel Keyes,
John Kimball,
Gideon Cudworth,
John Smith,
Joseph T Redway,
David Foster,
Jonathan Cutler,
Preston W Taft,
Asa Washburn,
Eber Hodgkins,
John H Stoddard,
William Houghton.

Rockingham.

Artemas Robbins,
Stephen R B Wales,
Daniel Kellogg,
John H Campbell,
David Chandler,
Alexander S Campbell
Elias Pulsipher,
Cyrus Locke,
Horace Baxter,
Russell Hyde,
William Henry,
N. T. Sheaf,
Alden Hazeltine,
Elias Alcott jr.
Samuel L Billings,
Joel Whipple,
William F Hall,
Thomas Gould,
John Wiley 2d,
Henry Lake jr,
Jesse Howard,
Henry Walker,
Lewis Locke,
John S Fullerton.

Somerset.

Hazelton Rice,
Hollis Town,
Joseph Pike,
Joseph Morse,
Moses Pike,
Ephraim Rice.

Stratton.

Stephen Ballard,
Ezekiel Estabrook,
Richard Scott,
Warren Higley,
David Rice,
John N. Glazier,
Isaiah Howard.

Townshend.

Ebenezer Huntington,
Nathan Fisher,
Daniel Fisher,
Lemuel Farwell,
Zadock Sawyer,
Barnard Salisbury,
Moses W Tyler,
Dana Bailey,
Jonas Twitchell,
O Wilkinson, jr.
H I. Aiken,
S F Thompson,
Emery Kathan,
Sharon Gray,
John Blandin,
Samuel Gray,
Eber M Barber,
Clark Wilkinson,
John Roberts,
John H Brigham,
Nathaniel Cheney jr.
Nathan Pierce,
James H Phelps,
Aurelius C Howard,
William H Joy,
Hollis Nichols,
Abner Johnson,
Edmund Shattuck,
Thomas Cook, jr.
Joseph Jenison,
J McM Shafter.

Vernon.

Cyrus Washburn,
Elijah Stebbins,
John Stebbins,
Nathan Wood,
Eli Lee,
William Johnson,
Joseph Franklin,
Chester Lee,
John B Green,
Jarvis F Burrows,
Lorenzo Brown,
Alonzo Newton.

Wardsboro'.

Emery Wheelock,
Henry Grover,
Holland Plimpton,
Richard W Smith,
Silas Dexter,
Asa Kidder,
John Tufts,
Joseph Hall,
Joseph Hammon,
Leland Stockwell,
Erastus Ramsdall.

Westminster.

William C Bradley,
Ellery Albee,
James Titcomb,
Erastus A Holton,
John C Richardson,
Nathan G Pierce,
Peris Clark jr,
John Minott,
Grant W Ranney,
Ira Goodhue,
John Braley,
Curtis Robinson,
Stephen Tuthill,
Joseph Ranney,
Alvan Goodale,
Joel Page.

Whitingham.

Amos Brown,
James Roberts,
Reuben Winn,
Henry Goodnow,
Parly Starr,
Jedediah Blanchard,
Houghton Sawyer,
Waters Gillet,
Rufus Brown,
Elias Stone,
Elisha Putnam,
Leonard Brown,
Willard Foster,
Nathan L Butler,
Harvey Brown.

Wilmington.

Azor Smith,
Lancey Forbes,
Stephen P Flagg,
Otis Haynes,
John C Wilson,
Alanson Parmelee,

Martin F Bingham,
Horace Smith,
Horace Hastings,
Heman Swift,
Oscar L Shafter,
Rufus Stearns,
Adna B Childs,
Horace Alvord,

Henry Estabrook.

Windham.

John Woodburn,
Joseph Wood,
Timothy Barton,

Samuel Goddard,
Levi Kimball,
Ezra Pierce,
George W Dutton,
Elijah White,
Abel Burdett,
Simeon Pierce,
William Harris.

WINDSOR COUNTY.

David Pierce, } *Assistant Judges of the Co. Court.*
Reuben Washburn, }

Zenas F. Hyde, Cavendish, *Sheriff.*

Barnabas Dean, *High Bailiff.*

Sewall Fullam, *State's Attorney.*

Thomas F. Hammond, *Judge of Probate for the District of Windsor.*

Thomas P. Russell, *Judge of Probate for the District of Hartford.*

Walter Palmer, Eliphalet Dunham, Simon Warren, *Jail Commissioners.*

JUSTICES OF THE PEACE.

Andover.

Joseph Dodge jr.
Charles Chandler,
Abraham Brown,
Benjamin Morse,
William Warner,
George W Stickney.

Barnard.

Alpheus Howe,
Charles Walcott,
Daniel Aiken,
Albert H Danforth,
S R Streeter,
Elijah Spear,
Harrison Topliff,
Oliver Walcott,
Harrison French,
Silas Tupper,
Hiram Putnam,
Lucius Freeman,
Harrison O Closum.

Baltimore.

Jonathan M Boyington, }
John Piper.

Bethel.

Jonathan Marsh,
Simeon Babbitt,
Walter Perrin,
Asa Brooks,
Lovel Lathrop,

Asa Davis,
Luther D Preston,
Elijah Castle,
Daniel Child,
A P Huntoon,
Seneca Marks,
Oliver Gleason,
Thomas P Russell.

Bridgewater.

David Thompson,
James Walker,
Isaiah Raymond,
Amos Averill,
Emanuel Sawyer,
Ebenezer Clement,
Richard W Southgate,
Alvan Lamb.

Cavendish.

Calvin French,
William Smith,
Samuel Adams,
Salmon F Dutton,
Jesse Adams,
Levi Jackman,
Abel Gilson,
Moody S Proctor,
John F Dean.

Chester.

Amos Heald,

Thomas P Barrett,
Josiah Dana,
Phineas O Sargeant,
Philemon Robbins,
Charles Lee,
Albert Onion,
Rufus Bruce,
Abiel Richardson,
Rodney Sherwin,
Henry E Stoughton,
Nathaniel Richardson,
Ezra Sargeant,
Phineas Leland,
Abner W Field,
David A Sherwin,
Charles Edmonds,
Ira B Persons,
Hugh H Henry.

Hartford.

Zebulun Delano,
James Udall,
John Downer,
Daniel Hazen,
Samuel Nutt,
Allen Hazen,
Alfred Neal,
Jonathan Bugbee jr.
John Strong,
George E Wales,
Lucius Hazen,
F K Nichols,
William Savage,
Henry Walcott,
John Porter,
Shubael Ross.

Hartland.

Ward Cotton,
Ephraim Cleveland,
Hampden Cutts,
Levi Gove,
E M Stocker,
Buckley Marcy,
Squire Marcy,
Asa Weed,
Moses T Swan,
Dustin Bates,
Daniel Ashley.

Ludlow.

Asahel Smith,
Charles Ives,
Peter T Washburn,
Asa Fletcher,
Asa S Barton,
Pliney Parker,
Samuel Ross,
Sewall Fullam,
Asa Fenn,
Emery Burfee,
Benjamin Billings,
Artemas Spafford.

Norwich.

Asa Lord,
Joel Morris,
Ebenezer Spear 2d,
Nathaniel Turner jr.
Calvin Sawyer,
Benjamin Neal,
Harry S Richards,
William Loveland,
Ebenezer B Brown,
Joseph Rogers,
Philip Wheeler,
Edward Morris,
Timothy Bissell,
Ira Davis.

Plymouth.

Samuel Page,
Augustus Haven,
Moses Pollard,
Israel P Brown,
Calvin Wilder,
Enoch Wetherbee,
Andrew R Adams,
Joseph Kennedy,
Jonathan Hall,
A S Day,
Levi Slack,
Daniel Long.

Pomfret.

Isaiah Tinkham,
Harvey Bruce,
Nathan Snow,
Stephen Bugbee,
Otis Chamberlin,
Martin D Follett,
Hosea Doten,
Henry Hewitt jr.
Ora Paul,
Gardner Winslow,

Reading.

Benoni Buck,
Henry Conant,
Bridgman Hapgood,
Shuabel C Shedd,
Rufus Furbush,
Galo B Ralph,
Solomon Keyes,
Luther Kendall,
Uriel C Hatch,
Hiram Goddard,
Nathaniel Dyer,
William L Hawkins,
John Wheeler,
Josiah G Hawkins.

Rochester.

Ephraim D Briggs,
Sumner A Webber,
Lyman Emerson,
Joel Cooper,
John Trask,
Solomon Nott,
Rowland Leonard,
Sylvanus Newell,
John Paul,
Horace L Richmond,
Royal Edson,
Thomas B Harvey,
William B Henry,
William F Gurnsey,
Isaiah P Matthews.

Royalton.

Jonathan Kinney,
John Marshall,
Elisha Rix,
Elisha Wild,
Lyman Benson,
Heman Durkee,
Luther How,
Forest Adams,
Thomas Lovejoy,
Oramel Sawyer,
Horatio N Freeman,
William L Lyman,
Daniel Woodward,
Elisha Fowler,
Gideon Bingham,
Cromwell Horton,
John Coy.

Sharon.

John Baldwin,
Samuel Shuttleworth,
Henry Hitchcock,
Orin Morehouse,
David Fales,
Zera Watkins,
Freeman Page,
Freeman Holt,
Horace Pixley,
Stephen S Bean,
Israel G Smith,
Roderick D Lathrop,
Joseph L Fay,
Chester Baxter,
Wooster Downet,
Gaius Leonard.

Springfield.

Jotham Britton,
Samuel W Porter,
Henry Closson,
Noah Safford,
Osman Burgess,
Hamlin Whitmore,
Calvin Hubbard,
Daniel Davis,
Ephraim Walker jr.
Clark Nichols,
William Dyer,
William Hale,
Abner Field,
John Field,
Elias Damon,
Henry Evans,
Horace Weston,
Jonathan Chase,
Horatio W Houghton,
John Farnum,
David M Smith,
O M Whipple,
William W Whitney.

Stockbridge.

Samuel Belcher,
John Leonard,
Justin Morgan,
John R Forest,
Samuel Eaton,
Asa Partridge,
Leonard Ainsworth,
Araunah Allen jr.
John Blackmer,
David Avery,
J H Kimball,
Isaac Jones,
James Beard,
Elijah Allen,
Edmund Sawyer.

Weathersfield.

Jonathan Lawrence,
Joshua Upham,

Joseph R Williams,
Asa Upham,
Sewell Clement,
Chauncey M Chamberlin,
Alvah Chamberlin jr.
Daniel Bowen,
Ebenezer Shedd,
John Sherwin,
Jeremiah Bemis,
Barnabas Dean,
John Spafford,
Jacob Perkins,
William M Pingrey,
Josiah Barns,
John Allison,
Stephen Prentice,
M A Thompson,
William Gay,
Augustus Tuttle.

Weston.

Amos N Burton,
Henry Lovejoy,
David Sterlin,
Daniel Warner,
Thomas K Park,
Thomas B Wakefield,
Franklin Keyes,
Stephen Smith,
James Bryant,
Solon Richardson.

Windsor.

Darius Jones,
Edward R Campbell
Thomas Boynton,
A N Woodruff,
Daniel Read,
Charles Leavens,
Darius Leavens,
Edward D North,
Nehemiah Parker jr.
Jesse Lull,
Warren Currier,
Jacob Mansfield,
John Burnham,
Caleb Kendall,
William H Sabin,
Samuel H Pierce,
Thomas M Pomeroy,
Thomas F Hammond,
Alfred Worcester,
Charles Mather,
Oliver Hale,
Carlos Coolidge,
John Dunbar,
William Tileston,
Avah Cummings.

Woodstock.

Titus Hutchinson,
Walter Palmer,
Norman Williams,
Julius Converse,
Henry W English,
Henry C Denison,
Ammi Willard,
Richard Hayes,
Tracy Bingham,
Daniel Taft jr.
Nathan T Churchill,
Lysander Raymond,
Eliphalet Dunham,
O P Chandler,
Gains Perkins,
Bela F Simonds,
Oel Billings,
John A Pratt,
Asaph Fletcher,
Amos Ralph,
Benjamin G Bigelow,
Nahum Haskell,
Samuel Wood,
Moses Fairbanks,
John Bement,
James C Slayton,
John Moulton,
Job Lyman,
Lyndon A Marsh,
Edwin Hutchinson,
Billy Brown,
Walter Palmer 2d,
Darius Blake.

RUTLAND COUNTY.

Zimri Howe, Obadiah Noble, } *Assistant Judges of the Co. Court.*

Jacob Edgerton, jr., Rutland, *Sheriff.*

Abner Mead, *High Bailiff.*

Wm. C. Kittredge, *State's Attorney.*

Wm. Hall, *Judge of Probate for the District of Rutland.*

Almon Warner, *Judge of Probate for the District of Fairhaven.*

Robert Pierpoint, A. L. Brown, Silas H. Hodges, *Jail Commissioners.*

JUSTICES OF THE PEACE.

Benson.

Isaac Norton,
Milo W Smith,
Loyal C Kellogg,
Isaac Griswold,
John Dickinson,
Daniel Crofoot,
Isaac Dickinson,
Phlio Wilcox,
Seth K Smith,
Ebenezer Martin,
Jonas Gibbs,
Jesse Parkhill,
James H Gleason,
Horace Knapp,
Roswell Barber,
Amasa Briggs,
Abijah H Howard.

Brandon.

John Conant,
Ebenezer N Briggs,
Ezra June,
Josiah W Hale,
David Sanderson,
Harvey Hall,
Ira Button,
John A Conant,
Barzillia Davenport,
Edward Jackson,
Lewis Barker,
Milton June,
H S McCollum,
Franklin Farrington,
Chester Winslow,

D W C Clarke,
Charles Backus,
Hezekiah Campbell,
Jedediah Holcomb,
Albert Locke,
Joseph Davison,
Jacob Powers,
Jesse Hinds,
A A Meacham,
Lorenzo Davis,
J A Bliss,
Drances Jane,
Ward M Lincoln,
E A Goodrich,
S J Field.

Castleton.

James Adams,
Benjamin F Langdon,
Timothy W Rice,
Almon Warner,
Isaac T Wright,
Oliver R Harris,
William Moulton,
William Sanford
Hyde Westover,
Hannibal Hodges,
Smith Sherman,
Elisha Gates,
John Wyatt,
N N Northrop,
Albert G W Smith,
William B Colburn.

Chittenden.

Porsenna Wood,
Reuben Harris jr.
Charles Hewett,
Alvan Randall,
Capen Leonard jr.
Hiram Baird,
Dan B Bogue.

Clarendon.

Thomas Steward,
John L Marsh,
Silas W Hodges,
George W Chaplin,
Solomon Havens,
Abner H Colvin,
Joseph A Hayes,
Lewis M Walker,
Thomas McLaughlin,
George Wilkinson jr.
Hiram Congdon,
Benjamin Fisk jr.
Edwin Egerton,
Enoch Smith,
Calvin Crossman,
Philip Briggs.

Danby.

Elijah Burr,
Benjamin Burns,
Daniel Lapham,
John Vail,
Nathan J Smith,
Caleb Parris 2d,
Timothy Reed,
H F Otis,
Ira Edmonds,
Hiram Conger.

Fairhaven.

William C Kittredge,
Harvey Howard,
Adams Dutton,
Elijah Esta,
Samuel Wood jr.
Benjamin F Gilbert,
Cyrenus M Willard,
Barnabas Ellis,
Joseph Adams.

Hubbardton.

Pliny Holmes,
R V R Horton,
Justin Jennings,
James W Barber,
Seth St John,
Chauncey S Rumsey,
Perry Dikeman,
James Flagg.

Ira.

Russell Fish,
Erwin Collins,
Oziel H Rounds,
James Gilmore,
Bradley Fish,
Pardon W Wilkinson,
Chapman Giddings,
Amos Tower,
Jere Thornton.

Mountholly.

John Crowley,
Abijah Cole,
John White,
Homer Earl,
Hiram Dickerman,
John Bryant,
Austin Dickerman,
Russell Barbour.

Mendon.

Rufus Richardson,
Edward Murzey,
James K Pearsons,
Leverett Wilkins,
Joseph W Curtis,
Leland Houghton.

Middletown.

Jonas Clark,
Jacob Burnham,
Micah Vail,
Anson Rogers,
Stephen Barrett,
John P Taylor,
Adin H Green,
Edward Vail,
John Fitch,
Jacob Burnham jr.
Elijah Ross,
Albert W Gray,
Luther Fillmore,
Alpheus Haynes,
Joseph Remington.

Mount Tabor.

Gideon S Tabor,
Azel Kelley,
Benjamin Britton,
Rufus H F Hill.

Orwell.

Joab Smith,
Ruluff White,
Joseph H Chittenden,
Julius C Thomas,
Ira Young,
Ira Smith,
Israel Smith,
Wyllys Abel,
Wait Branch,
Linus Wilcox,
Lewis S Hominway,
William R Sanford,
Albert L Catlin,
William B Martin,
Absalom Fuller,
Josephus Sholes,
Roswell Bottum jr.
Joab Smith jr.

Pittsfield.

Erastus Holt,
William R Blossom,
Amos Holt,
Orton Hatch,
Oliver Gibbs,
Joshua Dewey,
Daniel Bowe.

Pawlet.

Oliver Hanks,
Elisha Allen,
Josiah Toby jr.
Jonathan Randall,
Harry Griswold,
James Leach,
Nath'l Harmon,
Ira Marks,

Ossian H Simonds.

Pittsford.

Anderson G Dana,
Gordon Newell,
Thomas F Bogue,
Abel Penfield,
John Barns,
David Hall,
David Richardson,
Harris Bogue,
German F Heudee,
Artemas Carpenter,
Isaac Bresee,
Jeffrey Barns,
Thos H Palmer,
Nahum Mills,
Charles T Colburn,
Chester Granger,
Nathan D Clifford,
Isaac C Wheaton,
Amos Hitchcock,
Jonathan Burditt
Samuel H Kellogg.

Poultney.

Joseph Joslin,
Merrit Clark,
Henry J Ruggles,
William Wheeler
John B Beaman,
Henry G Neal,
Amos Bliss,
James Winchell,
James S Harris,
Harlow Hosford,
Stukely T Parker.

Rutland.

Chauncey Thrall,
William Page,
Ambrose L Brown,
Moses Watkins,
Edgar L Orrasbee,
Frederick W Hopkins,
William Y Ripley,
Joel M Mead,
William Green,
Reuben R Thrall,
James Eayers,
Jonathan C Thrall,
Jonathan C Dexter,
Edward F Hodges
Silas H Hodges,
John Proctor,
Francis Slason,
Lewis Meacham,
George Graves,
Luther Daniels.

Shrewsbury.

John Buckmaster,
Harry Holden,
Jeffrey A Barney,
Job Waterman,
William Matthewson,
Otis G Jones,
George W Webb jr.
Pearl Parker,
Sumner C Clark,
Elisha Johnson jr.
Benjamin T Needham.

Sherburne.

Benjamin Hutchinson,
Richard Estabrooks,
George W Topliff,
Reuben Gates jr.
Silas Colton,
Rufus Richardson jr.
John Johnson,
Jonathan Willson.

Sudbury.

John C Sawyer,
James K Hyde,
Uriel B Gould,
John Hall,
Isaac Ketcham,
William A Williams,
Henry H Merritt,
Edward L Hall,
Henry J Horton,
Thomas J Goodrich.

Tinmouth.

John Norton,
Calvin Brewer,
Harvey Shaw,
Noah W Sawyer,
Royal Coleman,
James R Noble,
Dexter Gilbert,
John Cobb.

Wallingford.

Alexander Miller,
David H Sabin,
Isaac Smith,
Howard Harris,
Samuel M Egerton,
Stephen Cook,
David Holden,
Joel Ainsworth,
Holden Stafford,
Harvey Button,
P G Clark,
Dyer Townson,
William Kent.

West Haven.

Erastus Coleman,
Isaac E Jakeway,
Hiram K Hunt,
John Sisco,
David Downs,
Benajah Cook,
William J Billings jr.
Hiram Coleman,
Thomas Shaw,
William H Green.

Wells.

Allen Grover,
Wesley Clemens,
Joseph Parks,
David B Lewis,
Almon Hopson,
William Lamb.

ADDISON COUNTY.

Calvin Solace, } *Assistant Judges of the Co. Court.*
Fordyce Huntington, }

Gains A. Collamore, Bristol, *Sheriff.*

Asa Chapman, *High Bailiff.*

Ozias Seymour, *State's Attorney.*

Silas H. Jenison, *Judge of Probate for the Dis. of Addison.*
Harvey Munsill, *Judge of Probate for the Dis. of N. Haven.*
Dorastus Wooster, Ira Allen, Nahum Parker, *Commissioners for the jail at Middlebury.*
John Pierpoint, Elliot Sherrill, Samuel Morgan, *Commissioners forthe jail at Vergennes.*

JUSTICES OF THE PEACE.

Addison.

Arzah Crane,
Henry Brevoort,
Joseph Hayward,
George Wilmarth,
Heman Converse,
Hyder Barnes,
Chauncey Cook,
Justus Smith.

Bridport.

Benjamin Miner,
James Fletcher,
John Wicker,
Simon Z Walker,
Luther Smith,
Gordon Searl,
Paris Fletcher,
William Rockwell,
David F Doty,
Ervin E Grovenor,
Reuben Gillett,
Abel P Skiff.

Bristol.

Harvey Munsill,
Horatio Needham,
Philo S Warner,
Winter H Holley,
Henry C Soper,
Harvey Parmelee,
Truman Crane,
Luman Munson,
Frederick A Bird,
Datus R Gaige,
Samuel H Holley,
George C Dayfoot,
James Barlow,
Nathan Rider jr.
James Saxton,
Henry S Gale,
George S Hoyt,
Joseph C Bradley,
George W Parmelee,
John Myers,
Solon Sumner.

Cornwall.

William Hamilton,
Orin Field,
Marcus O Porter,
Calvin G Tilden,
Jesse Ellsworth,
John Sanford.

Ferrisburgh.

Noah W Porter,
Zuriel Walker,
Heman Barnum,
Jared B Booth,
Hartwell Powers,
Lansing Hard,
Moses Taft,
James Adams,
James Barnes,
Aaron P Webb,
Alanson Hays,
Elbridge G Warner,
David D Middlebrook,
Henry Rogers,
Thomas Field,
William Allen,
Parmenus Collins.

Goshen.

Nathan Capen,
Francis Brown,
Silas D Gale,
William Carlisle jr.
Asahel Durkee jr.
Reuben Allen,
Isaac F Austin,
Justin N Dartt,
Ezra Washburn jr.
William Bates.

Granville.

James W Parker,
Joseph Flint,
Alonzo G Allen,
Charles Lamb,
David Eaton,
Selah Benton,
Joseph P Ball.

Hancock.

Zerah Barnes,
Ehud Darling,
Royal Flint,
Gardner Chandler,
Alva Button,
Mason Fassett,
Augustus Taylor.

Lincoln.

William W Pope,
Davis Tucker,
David S Green,
Ziba Pope,
Moses Huntington,
Arzah Hanks,
Daniel Dodge,
Benjamin Allen.
William Mitchell.

Leicester.

James S Messer,
Silas W Stanley,
Reuben S Larabee,
Ebenezer B Jenney,
John G Perry.

Middlebury.

Horatio Seymour,
Peter Starr,
Abel P Case,
Harvey Bell,
Hiram Munger,
Charles Linsley,
Norman Tupper,
Oliver Hyde,
Ozias Seymour,
Jedediah S Bushnell,
William Bass,
Clark Foot,
Edwin Hammond,
Thomas M Fitch,
Samuel Swift,
Ira Stewart,
Dorastus Wooster,
Nahum Parker,
Edward D Barber,
James Jewett,
Zacheus Bass,
Otis Goodrich,
Ebenezer W Perry,
Austin Johnson,
Allen Dennis,
James M Slade,
Leonard Deming,
James McDonald,
Erastus W Drury,
Charles Aikin,
Alonzo A Wainwright,
Jonah C Wicker,
Emerson R Wright,
Joseph Warner.

Ripton.

Frederick Smith,
Harley Sunderlin,

Charles H Chaplin,
S H Hendricks,
John C Kirby,
Harry Downer.

Monkton.

Alson Collins,
Landon Smith,
Isaac Doten jr.
William Eaton,
Norman Finney,
Oliver Sherman,
Arzah C Dean,
Stoddard Hollis,
Burrill Smith,
Ethan Smith,
Miles B Bates,
Roderick Baldwin,
William Elliot,
Ethan Lawrence,
Roswell Atwood,
Daniel Varney,
John French,
Johnson Finney.

New Haven.

Elias Bottum,
Oliver Smith,
Jonathan Hoyt,
Calvin Squires,
Osmond Doud,
Daniel Twitchell,
Jabez W Langdon,
Julius L Eldridge,
William Nash,
Horace P Birge,
Ames Eddy,
Josiah Turner,
Horatio Plumley,
Samuel E Chalker,
Alfred P Roscoe.

Panton.

Norman Munson,
George Spencer,
Jesse Grandy,
Truman Grandy,
Samuel Shepard,
Silas Tappan,
Horatio N White,
Abner G Holcomb,
Silas Pond.

Salisbury.

Jonathan Gibson,
James Andrus,
John M Weeks,
John Prout,
Nehemiah Pray,
Samuel S Crook,
John Dyar,
Mark Ranney,
Marshall S Doty,
Harry Bump,
Nathaniel Spencer,
Rollin T Howard,
Douglas Daniels,
Oscar P Sheldon.

Shoreham.

Udney H Everest,
Ebenezer Bush,
Joseph Smith 2d,
Isaac Chipman,
Ara Sanderlin,
John N Hunt,
Elisha Bascom,
Alonzo Birchard,
Lewis Hunt,
Levi O Birchard,
M W C Wright,
John T Rich,
Azel Chipman,
John M Ormsbee,
Kent Wright.

Starksboro'.

Elisha Ferguson,
William Worth 2d,
Augustus White,
Isaac Stowell,
David Rellogg,
Samuel D Holcomb,
Benjamin L Knight,
James Kinsley,
Sidney Sales,
Stephen Sales,
John Hill 2d,
Nathan Morrison,
Jeremiah Morrill,
Ira Bushnell,
Theron H Kidder.

Vergennes.

Ville Lawrence,
Jehazel Sherman,
Isaiah Scott,
Philip C Tucker,
John Pierpoint,
John Thomason,
Samuel P Strong,
George W Grandy,
Henry C Lawrence,
John Parker,
Edward Seymour,
Cyrus Smith,
Jared M Taylor,
Samuel Wilson,
William H White,
Carlos Blake,
Elijah J Austin,
John E Roberts,
Enoch D Woodbridge.

Waltham.

Chester Ward,
Alonzo Hawkins,
Joel T Clark,
Nathan Griswold,
Abijah Hurd,
Abram McKenzie,
Peleg Fisher,
George Fisher,
John D Barton.

Weybridge.

John Brittel,
Isaac S Drake,
Sardis Dodge,
Sylvester S Foote,
T W Twitchell,
Samuel James,
Solomon Parker,
Solomon W Jewett,
Moses Sargeant.

Whiting.

Harmon Strong,
Ephraim Moulton,
Abel Walker,
Isaac Ives,
Andrew M Baldwin,
Linus Needham,
Amon Needham.

ORANGE COUNTY.

Martin Flint, } *Assistant Judges of the Co. Court.*
Daniel Cobb, }

Jacob Kent, jr., Wells River, *Sheriff.*

Edmund Weston, *State's Attorney.*

Uriel Hosford, *High Bailiff.*

John Colby, *Judge of Probate for the district of Randolph.*

J. W. D. Parker, *Judge of Probate for the district of Bradford.*

Thomas Jones, H. E. G. McLaughlin, Amos S. Blake, *Jail Commissioners.*

JUSTICES OF THE PEACE.

Bradford.

J W D Parker,
John B Pickett,
George P Baldwin,
George W Prichard,
Seth Austin,
John B Woodward,
Moses R Chamberlin,
Evan D Corliss,
John B Corliss,
Elliot P Johnson,
Elijah Blood,
Moody Colby,
Edwin R Aldrich,
Joshua Garry,
Adams Preston,
Moody Grow,
Alvan Taylor.

Braintree.

Rufus Hutchinson,
John Curtiss,
William Nichols,
Thomas A Vance,
Jefferson P Kidder,
Robbins Dinsmore,
Luther S Goodnow,
Daniel Cram,
Wyman Neff,
Levi Tracy,
Ira Mann,
Aranuah Spear,
Samuel Fitts,
Robert Lyon,
Zenas Thayer jr.
Joseph Riford,
Jonathan Holman.

Brookfield.

Thomas Kingsbury,
Luther Wheatley,
Waldo W Ingalls,
Ariel Burnham,
Homer Hatch,
William M Alvord,
Aaron Cleaveland jr.
Joseph G Smith,
Richard Wells,
Reuben Peck,
John M Lamson,
Joseph Blake,
John Griswold jr.
Sprague Arnold jr.
Frederick Griswold,
Nathaniel Wheatley.

Corinth.

Samuel Hazletine,
Henry Dearborn,
Stephen Eaton,
Ephraim Ward,
Joseph Fellows jr.
John Richardson,
Samuel Darling,
Richard Smith,
Joshua Merrill,
William Spencer,
Winthrop Green,
Michael Stevens,
Moses Sawyer,
John Chubb,
Plant S Poor,
Lyndes Luther,
Goulsburn Taplin jr.
Nathan Blake,
Jonathan Robie 2d,
Aristarchus Taplin,
Amos S Little,
Cyrus Heath,
John A Tenney,
Putnam Herriman,
David Dearborn.

Chelsea.

John W Smith,
Thomas Jones,
Elisha Williams jr.
Jacob Norris,
Perley C Jones,
Amos A Howes,
David Goodwin,
Calvin Blodgett,
William S Shepard,
Harry W Hatch,
Ubane Lathrop jr.
Elijah Coburn,
Jason Steele,
Amos S Hatch,
Elias Lathrop jr.
Daniel Wyman,
Elihu Norton,
William P Dickinson,
Rufus H Hyde,
Harry Barnes,
Joshua Dickinson,
Levi B Vilas.

Fairlee.

Asa Woodward jr.
Lewis Jenkins,
Alexander H Gilmore,
Elias Driggs,
Samuel D Banfill,
Thomas Stratton,
Jeremiah Marston,
Phineas Bailey,
Thomas Highland,
Stephen Chapman,
Zebulun Norris.

Newbury.

Charles Hale,
Elijah Farr,
Abel Underwood,
Cyrus J S Scott,
Hiram Tracy,
Simeon Stevens jr.
David Johnson,
Timothy Hazletine,
Richard R Aldrich,
John E Chamberlain,
Tappan Stevens,
Jonas W Clark,
Jonas Tuckes,
Thomas Wilson,
Levi Carter,
Richard Patterson,
Abner Bailey,
John Stevens,
Samuel Grow,

Horatio Brock,
Thomas Wason,
William H Carter.

Orange.

Luther Carpenter,
Horace Fifield,
Richard Paine,
Artemas Houghton,
Daniel Holorook,
Reuben White,
Ralph Pope,
Lathrop Fish,
Moses Sargeant,
Christopher Richardson,
Preston Chamberlin.

Randolph.

Enoch Hebard,
Edmund Weston,
Phineas Monlton,
Abner Waldo,
Lorenzo D Herrick,
Daniel Parish,
Loren Griswold,
Lebbeus Egerton,
William Nutting,
Eli Blodgett,
Richard A Hayden,
Perley Belknap,
Orin Parker,
Belcher Salisbury,
Solomon Burnham jr.
Harvey Lamson,
Jonathan Jones,
James Steele,
Ezra Wills,
Ziba Sprague,
John Weston,
Jacob K Parish,
Gilbert Smith.

Strafford.

Stephen Morrill,
Jedediah H Harris,
Frederick Smith,
Daniel Morrill,
Samuel S Killinger,
Pliny Day,
John Burnham,
Thomas Hazletine,
Daniel G Pennock,
Nathaniel Gove,
Royal Hatch,
Leonard Walker,
Eleazer Baldwin,
Eber Newton,
John Reynolds jr.
George W Alger,
William B Haseltine,
Adin H Norton,
Taylor Slack,
Ebenezer West,
Abraham Brown.

Thetford.

Simeon Short,
Enoch Slade,
William Sweatt,
Stephen Eastman,
Jonathan Emerson,
Sylvanus Sayer,
Uriel Hosford,
John Judd,
T P Bartholomew,
David Bruce,
Z E Messer,
James Tyler jr.
Lester Bryant,
Henry Gillett,
Samuel Farnsworth,
George Gary,
Joseph E Clough,
James D Crocker,
William H Latham,
William Kingman,
Joseph Matson,
Lovell Garey,
S G Heaton.

Topsham.

Jonathan Jenness,
Edmund George,
Moses Wallace,
Aaron Sanborn,
Carlos P Bill,
Hale Grow,
Samuel Batchelder,
Levi Tabor,
James F George,
Calvin Tabor,
Duncan McKeith,
John Fellows,
Benson Aldrich,
Orannel H Watson,
Moses Jones,
John W Batchelder,
Charles S Downs,
Charles Grow.

Tunbridge.

Cyrus Chapman,
Ebenezer Hackett,
George Weymouth,
Zebina Whitney,
Harvey Tracy,
Spencer Smith,
Gustavus Rolfe,
Samuel Austin,
John E Dodge,
Charles M Lamb,
Thomas S Paine jr.
John L Hall,
Joshua Eaton.

Vershire.

Thomas Keyes,
Nathan Spear,
Joseph F Carlton,
Simeon Bacon,
Pliny Dwight,
William Boardman,
Ira Corse,
William Humphrey,
B O Tyler,
Horace Carpenter,
Robert Paine,
David Eastman,
Israel Diamond,
Moses Bartholomew,
Stephen M Kimball,
Jacob Church,
Solomon Carlton,
Flavel Brown.

Washington.

John Colby,
Cutting S Calfe,
B W Bartholomew,
Ichabod E Worthley,
Philip Sargeant,
Zenas Smith,
Zadock Cheney,
Jacob Bliss,
Hall Burgin,
Stephen Burton,
Enos Fulsom,
Henry Godfrey jr.
Elisha Tracy.

West Fairlee.

Elisha Thayer,
William Niles,
Arba Burr,
Azariah Wild,
John Coburn,
Stephen Thomas,
Elisha May,
Jared Buzzel,
Jabez Lamphear,
David Robinson,
William Morse,
Chester Chubb,
George May.

Williamstown.

Darius Pride,
Nathaniel Jillson,
Ariel Crare,
Andrew Burnham,
Jonathan Lewis,
John Poor,
Horace Ware,
Nathaniel Martin,
Alvin Smith,
Bradford Newcomb,
Asa Howe,
Moses Lewis,
Harry C Weden,
Sandford Hatch,
Enoch Howe,
Joel Bass.

WASHINGTON COUNTY.

Joseph Sawyer, Charles Sampson, } *Assistant Judges of the Co. Court.*

Andrew A. Sweet, Montpelier, *Sheriff.*

Alpheus Robbins, *High Bailiff.*

Oramel H. Smith, *State's Attorney.*

Azel Spalding, *Judge of Probate for the District of Washington.*

Daniel Baldwin, Harry Richardson, Cyrus Ware, *Jail Commissioners.*

JUSTICES OF THE PEACE.

Barre.

Chapin Keith,
Alvan Carter,
John Thwing,
Stephen Freeman,
Peter Johonnett jr.
Jeremiah Ellis,
Abram Page,
Jacob Scott,
Cyrus Barber,
Otis Peck,
Joseph Parker,
Newell Kinsman,
David French 2d,
Webber Tilden,
Joseph Dodge.

Berlin.

Abel Knapp,
Gershom Heaton,
Samuel Jones,
Joseph W Thompson,
Osman Dewey,
Orren Smith,
James Currier,
James V Perley,
Josiah Benjamin,
Leonard Ellis,
Archelaus S Brown,
Asa Andrews,
Parley Foster,
Wooster Sprague.

Calais.

Gideon Hicks,
Nathaniel Eaton,
Pliny Curtiss,
Shubael Wheeler,
Luther Morse,
Asa George,
Jabez Mower,
James H Cole,
Joshua M Dana,
Joseph Lance,
Richard W Toby,
Alonzo Pearce,
N A Chase,
E C McLoud,
Welcome Wheelock,
Charles Dudley,
Abdiel Kent.

Duxbury.

David Belding,
William C Griffith,
Roderick Phillips,
Benjamin Holmes,
Gilbert Huntley,
Ira Arms,
Gilman Huntley,
Rutty Lewis,
Jonathan Jewell,
Luther Graves jr.

Fayston.

Calvin Fullerton,
Eber H Baxter,
Ira Richardson,
Hosea Newcomb,
Jacob Boyce,
Eli Bruce,
Benjamin Davis.

Marshfield.

Jonathan Goodwin,
Jacob Putnam,
Jonathan Davis,
Abijah Bemis,
True Eaton,
Edwin Pitkin,
Ira Smith,
James Pitkin,
Roger S Gilman,
Harvey Colburn,
Coolidge Taylor,
Richard Meers,
Daniel Damon,
Lyman Clark,
Alexander Boyles jr.
Ira Smith.

Middlesex.

William S Clark,
Thomas Stowell,
Jesse Johnson jr.
Hiram C McIntyre,
Jacob S Ladd.
Samuel Daniels,
Columbus C Putnam,
Oliver A Chamberlin,
Leander Warren,
Stephen Herrick,
Enoch P Sherman,
Nathaniel M Carpenter,
Horace Holden,
Don P Carpenter.

Monroe.

S C Burnham,
Joel Celley,
Asaph Town,
J S Jackson,
James Norcross,
Ebenezer Bruce,
Joseph Parker,
Isaac Wells jr.
Stephen Chapman.

Montpelier.

Darius Boyden,
Parley Davis,
Israel Goodwin,
Joel Bassett,
Daniel Baldwin,
Nathaniel C King,
Isaac Cate,
Lucius B Peck,
John Spalding,
Jonathan P Miller,
Charles Clark,
Azel Spalding,
Oramel H Smith,
John Vincent,
George Howes,
Lyman Briggs,
Daniel P Thompson,
Cyrus Ware,
Gamaliel Washburn,

George Worthington,
William W Cadwell,
Rawsel R Keith,
Homer W Heaton,
Jeremiah T Marston,
Charles Sibley,
Thomas Reed,
Araunah Waterman,
Joshua Y Vail,
Cyrus Morse,
Stillman Churchill,
Pardon Stevens,
John J Willard,
William Martin,
Royal Wheeler,
Silas C French,
Alfred Wainwright,
Addison Peck.

Moretown.

John Howes,
Alpheus C Noble,
Daniel Harris,
Horace Henton,
M B Taplin,
Charles Howe,
A Weatherbee,
Meshec Ware,
Alpheus Bass.

Northfield.

Calvin Cady,
Nathaniel Jones,
Heman Carpenter,
John L Buck,
Harvey W Carpenter,
Oliver Averill,
Samuel Denny,
Nathaniel King jr.
Solomon Dunham,
Lucius Edson,
Eleazer Loomis,
Jesse Averill,
John Averill,
Gordon Randall,
Henry Knapp,
Marvin Simonds,
Leander Foster,
David W Hadley,
Charles C Closson,
Nathaniel Richardson,
Hosea Clark,
Volney H Averill.

Plainfield.

Ebenezer Martin,
Baxter Bancroft,
Alba Martin,
Junius B Davis,
Justus Kinney,
Nathaniel Sherman,
Horace Bachelor,
Dudley Perkins,
Nathaniel Townsend,
Joseph A Wing,
Maynard French,
Lewis Chamberlin,
Ezra Kidder.

R xbury.

Horace M Nichols,
Luther Ainsworth,
Benjamin Edwards jr.
Samuel M Hildreth,
Andrew P Walcott,
Isaiah Shaw,
Israel Keith,
Henry S Boyce,
Darius Hatch,
Thomas R Shaw,
Allen Spalding.

Waitsfield.

Matthias S Jones,
Jason Carpenter,
Jenison Jones,
Orson Skinner,
Roderick Richardson,
Orange Smith,
Samuel Chipman,
Dan Richardson,
David C Jocelyn.

Warren.

Franklin A Wright,
James Richardson,
William B Tyler,
William Cardell,
Moses Ordway,
Denslow Upham,
Thomas Sargeant,
Pearce Spalding,
Aaron Rising,
James Chipman,
Artemas Cushman.

Waterbury.

Henry F Janes,
Paul Dillingham jr.
William Carpenter,
Thaddeus Clough,
Joseph Barnes,
Leslie Gregg,
George Scagel jr.
William W Wells,
Richard Demerit,
Thomas B Downer,
William H Kneeland,
Elijah Marsball,
Ariel Thomas,
George W Dillingham,
O W Drew,
Joseph Moody,
John Wade,
Rufus Pike,
John Gregg,
James M Henry,
Daniel Pineo,
Ralph Worcester,
Samuel Bryant,
Patrick Bryant,
Harvey Prescott,
E P West,
George Hutchins,
Henry Douglass.

Worcester.

Abel Whitney,
Lyman Field,
Moses Rood,
Milton Brown,
Daniel Adams.

CALEDONIA COUNTY.

Epaphras B. Chase, Isaac N. Hall, } *Assistant Judges of the Co. Court.*

James Roberts, jr., Danville, *Sheriff.*

Nathaniel Perkins, *High Bailiff.*

Theron Howard, *State's Attorney.*

Samuel B. Mattocks, *Judge of Probate.*

Geo. W. Drew, Archelaus Sias, Sam'l B. Mattocks, *Jail Commissioners.*

JUSTICES OF THE PEACE.

Barnet.

Walter Harvey,
Ebenezer Brewer,
Obed S Hatch,
Mordecai Hale,
Solomon Stevens,
Hugh Somers,
Peter Laird,
Robert Harvey,
John Shaw,
Silas Harvey,
William Shearer,
Loria Kinne,
James Gilchrist,
Alexander Blair,
Samuel G Brackett,
Alexander Johnston,
Alexander Somers,
William Lackie,
William Whitehill,
Miles Shorey.

Burke.

Elam White,
Isaac Denison,
George W Denison,
Stephen Houghton,
Lewis Jenkins,
Daniel Beckwith,
Haynes W Belden,
Erastus Woodruff,
Asahel Burrington,
John Colby,
Joel Trull jr.
F D Wright,
Charles C Newell,
Philip Smith,
Lucius Denison.

Cabot.

Oel Warner,
William Lance,
Roswell Farr,
George Rogers,
Isaac Kimball jr,
Timothy P Fuller,
Anthony Perry,
Daniel Gould,
John Damon,
Leonard Orcutt,
Caleb Fisher,
Eleazer Smith,
Marcus O Fisher,
Thomas Osgood jr.
Hector McLane,
Stephen Hoit,
Benjamin F Scott,
Alpha Webster.

Danville.

Archelaus Sias,
John A Stanton,
John F Pope,
Elihu Underwood,
Samuel Sias,
Joseph Morrill,
Samuel Ingalls,
David Brown,
David T Batchelder,
George B Chandler,
George W Drew,
Henry Mattocks,
William J Stanton,
Theron Howard,
John Fisher,
William Blount,
William Sias,
James M Morrill,
Samuel Varney,
Salma Davis,
Simeon Harvey,
John Weeks,
Eldad Alexander,
Theophilus Drew,
Samuel B Mattocks,
Stuart Harvey,
Seneca Ladd,
Jedkins Randall,
Charles S Dana,
William H Harris,
Andrew McMillan,
Benjamin Gilson,
Isaac N Colby,
Asa Morrill,
Robert Kelsey,
Harvey T Moore.

Groton.

William Grant,
John Darling,
Nehemiah H Joy,
Jacob Abbott,
John Hatch,
Peter M Paul,
Hugh Dunn,
Moses Hadley,
Reuben W Hill,
Ephraim Low,
John Taisey,
Isaac N Hall,
Daniel Roberts,
Jonathan Welch.

Hardwick.

Orra Crosby,
David Tuttle,
Elnathan Strong,
Levi Goodrich,
Simeon Sinclair,
A H Goodrich,
Amon Cheever,
William Sanborn,
Luman Brunson,
John R Skinner,
Bliss N Davis,
Samuel Davis jr.
Joshua Stevens,
Silas Underwood,
Daniel W Aiken,
Daman Bridgman,
Jonathan Foster,
James M Woodbury,
Walter Doe,
R P Whipple,
Benjamin Thomas,
James K Noyce,
John L Pope,
Enoch Smith,
Handel S Chaplin.

Kirby.

James Church,
Merritt Newhall,
Timothy Locke,
Araunah Leach,
David Young,
Albert W Burrougha,
Nathaniel S Damon,
Jonathan Lewis.

Lyndon.

Lewis R Brown,
George C Cahoon,,
Thomas Bartlett jr.
Walter Hoyt,
Ephraim H Fisher,
Otis Evans,
Job Randall,
J T G Cunningham,
William McGaffy,
Philip Goss,
Reuben D Darling,
Jude Kimball,
Elias Bemis jr,
Daniel Bowker,
Charles Roberts,
Nehemiah H Fletcher,
Joshua Lecklin,
Nehemiah Weeks,
Stephen McGaffy,
Bradbury Richardson,
Charles D Fletcher,
Harry Green,
Ferdinand L Walker,
Ira Kittredge,
William McKoy,

Abram Smith,
Paul Houghton.

Newark.

Eleazer Packer,
Amos Parker,
Lauren M Sleeper,
Philemon Hartwell,
Olney Smith,
Welcome Allard,
Eleazer Davis,
William G Denison,
Charles Kenney,
John Sleeper.

Peacham.

Asa Skeele,
Alanson Stevens,
Simon Blanchard,
David Choate,
Jacob Blanchard,
Hazen Merrill,
Moses Martin,
Lyman Watts,
James Clark,
Benjamin Bickford,
Josiah Shedd,
Alexander Harvey,
John Phillips,
William Mattocks,
Thomas Eastman,
Samuel A Chandler,
Harvey Blanchard,
Lyman Patridge,
Isaac Watts,
Nehemiah Bradley.

Ryegate.

Archibald Park,
Amos Noyce,
William Gray,
John Nelson,
Thomas Nelson,
James Hall 2d,
John Cameron,
John Bigelow,
George Nelson,
Nathaniel Knight jr.

Sheffield.

Jonathan Taylor,
Nathaniel Elkins,
John T Smith,
Francis Jenness,
Hiram Jenness,
James Townshend,
Moses Davis,
John P Ingalls,
Joseph Ide,
Ezekiel Miles,
Samuel Bean,
Elisha Davis jr.
Joel Chesley,
Chauncey G Drown,
Horace Drown,
Suel Miles.

St. Johnsbury.

Luther Clark,
Luther Jewett,
Joseph P Fairbanks,
Jery Dickerman,
William P Stoughton,
Isaac Harrington,
Calvin Morrill,
Ebenezer Severance,
David Goss jr.
Moses Hill,
David W Lee,
John Morse,
James Harris,
Gardner Wheeler,
Harris Knapp.

Sutton.

Jonathan Richardson,
John Beckwith,
Nehemiah Shaw,
Thaddeus Curtis,
David Stoddard,
Josiah Willey,
Henry W Estabrooks,
Wells H Way,
David Giffin,
Amos Hill,
Daniel Cross,
Calvin Chase,
Johnston Smith.

Walden.

James Bell,
Adam Amsden,
William Montgomery,
Abel Guile,
Hiram Perkins,
Daniel Wooster,
Nathaniel Perkins 2d.
Nathaniel Farrington,
Merrill Foster,
John Gould,
W C Montgomery,
L F Edwards,
Joseph Foster jr.
Nathaniel Perkins.

Waterford.

Jonah Carpenter,
T R Fairbanks,
Jonathan D Stoddard,
Joseph Ide,
Abel Goss,
Creel Chamberlin
Lyman Hibbard,
Arad Freeman,
William Hovey,
John Felch,
Danforth Cheney,
Richard F Rowell,
Joseph Felch jr.
Royal Ross.

Wheelock.

Benjamin Conner,
Abner Hoyt,
Samuel P Slattuck,
John W Brown,
Samuel Bigelow,
William Chase,
Jefferson Leavitt,
Edward M Magoon,
Jonathan M Sanborn,
Hiel Bradley.

Goshen Gore.

Jacob Patch,
R W Smith.

Bradleyvale.

Joshua Andrews.
Charles Hamon.

CHITTENDEN COUNTY.

John Van Sicklen, John Allen, } *Assistant Judges of the Co. Court.*

Rolla Gleason, Richmond, *Sheriff.*

Horace Ferris, *High Bailiff.*

Henry Leavenworth, *State's Attorney.*

Charles Russell, *Judge of Probate.*

Israel P. Richardson, John K. Gray, Charles L. Nelson, *Jail Commissioners.*

JUSTICES OF THE PEACE.

Bolton.

John Pinco,
Samuel B Kennedy,
Gideon Barber,
Joseph Smith,
John White,
Jesse Jewel jr.
Moses L Colton.

Burlington.

Charles Russell,
Alvan Foote,
John N Pomeroy,
Charles Adams,
William Weston,
William F Griswold,
John Barstow,
Samuel K Isham,
William A Griswold,
Lyman Cummings,
Wyllys Lyman,
Asahel Peck,
John Bates,
D P Adams,
George A Allen,
Phineas Lyman,
David Russell,
George K Platt,
Charles F Warner,
J P Richardson,
Isaac Warner,
Ephraim Pike,
John Herrick.

Charlotte.

Ezra Holt,
E H Wheeler,
Salmon Pease,
Birdsey Newell,
Benjamin Beers,
Homan Hosford,
David Cook,
Caleb E Barton,
E W Hubbell.

Colchester.

Henry Boardman,
Jacob Rolfe,
Joseph E Rhodes,
Charles W Grannis,
William Hyde,
Udney H Penniman,
Cyrus Farrand,
John Lyon,
John S Webster,
Ebenezer Wolcott,
Roswell Newton,
Milton D Wickwire,
Alphonzo Bates,
William C Whiteman,
Leonard Wakefield,
George Bates,
Thomas Hill.

Essex.

F W Joiner,
Samuel Page,
David Kellogg,
Joseph B Weed,
Jesse Carpenter,
Henry Staunton,
Jedediah Tuttle,
James H Delano,
Byron Stevens,
Arthur Hazleton,
Chester Slater,
Amasa Bryant,
Pearl L Castle,
Warren Ford,
John W Emery.

Hinesburgh.

Nahum Peck,
Stephen Byington,
John S Patrick,
John Wheelock,
Nathaniel Miles,
Erastus Meech,
Samuel L Mead,
Elmer Beecher,
William B Vellie,
Harmon Toby,
A B Sumner,
Carlton E Miles,
H C Flanagan.

Huntington.

James Ambler,
Alexander Ferguson,
John Snider,
Jeremiah Remington,
Lyman Hall,
John Judson,
Nathaniel Norton.

Jericho.

Arthur Bostwick,
Peter L Allen,
Lemuel Blackman,
David Fish jr.
Oliver Lowrey,
Hosea Spalding,
Nehemiah Prouty,
Orville Shaw,
Jesse Thompson,
John Lyman,
Erastus Field,
John T Clapp,
Zebina Bliss.

Milton.

Jacob Davis,
Ira Witters,
A G Whittemore,
John Hyde,
Gideon H Rice,
Benjamin Fairchild,
Jedediah Sawyer,
William V Reynolds,
Charles H Perigo,
Orrin Holbrook,

Daniel H Onion,
Edmund Wellington,
Eliakim S Fairchild,
Arthur Burnell,
Rodolphus Sanderson.

Richmond.

Artemas Flagg,
Abram Smith,
Benoni Thompson,
Edward Jones,
E B Greene,
Roswell Mason,
Eli Brownson,
Rollin Gleason,
Joseph A Hall,
Joshua Jewell,
Elihu Bates,
James H Nichols,
Jonas Fay,
Oliver Shepherd,
Amos B Cooper,
Joseph Whipple,
Thomas C Barney,
Jonathan Fay,
Saul Bishop,
Nathan Fay,
Ransom Jones,
Asa Gillet,
Rufus Stevens,
Truman Fay.

Shelburn.

Isaac Higbee,
Asahel Nash,
Lyman Hall,
Samuel Fletcher,
Ira A Collamer,
Wm Harmon,
Ralph Reed,
Ezra Meech jr.
Henry S Morse,
Jonathan Lyon.

St. George.

Orin B Isham,
Silas Isham,
Sherman Beach,
Linus Lincoln,
Roswell Price,
Reuben Lockwood.

Underhill.

Peter Martin,
E F Barnum,
Jonas Humphrey,
Ahira Livingston,
John Cook,
R M Buchanan,
Luther Chamberlin,
Alfred Bucknell,
Wm S Hawkins,
Almerin Sheldon,
Frederick Fletcher,
L M Stevens,
Elliot Frink,
Martin C Barney,
Alpheus Eaton,
John Choate,
Leonard M Dixon,
S W Mead.

Westford.

Daniel Macomber,
Salmon Cushman,
Benj F Beach,
Amos Hobart,
Jacob K Drury.

Williston.

Truman Chittenden,
David French,
Chauncey Brownell,
John Brown jr.
Rufus Walston,
Jesse Thompson,
Jonas G Chittenden,
Nathan Stearns,
David Isham,
George N Wakefield,
Zimri Root,
Alonzo F Sexton,
Elisha Miller jr.
Anson Eylington,
Ezbon Stanford,
Wm H French,
William Brown,
George Morton,
Chauncey W Brownell,
Moses W Hall,
Loyal Larkin,
Nathan Johnson,
Nathaniel Parker,
Elias Coon,
Roswell B Fay,
Dan'l S Coleman,
Theron Winslow,
Samuel Hall,
John Fay.

FRANKLIN COUNTY.

Luther B. Hunt, Joseph Smith, } *Assistant Judges of the Co. Court.*

Decius R. Bogue, St. Albans, *Sheriff.*

Richard A. Shattuck, *High Bailiff.*

Homer E. Hubbell, *State's Attorney.*

Wm. Bridges, *Judge of Probate for the district of Georgia.*

Jeptha Bradley, Luther L. Dutcher, Joseph H. Brainard, *Jail Commissioners.*

JUSTICES OF THE PEACE.

Bakersfield.

Calvin Ewings,
S B Hazletine,
Elijah Barnes,
Wm C Willson,
Norman B Dunn,
David Hooker,
Sam'l Woodard,
Charles C Stone,
Seth Oakes,
John Morse.

Berkshire.

Cromwell Bowen,
Linus Leavins,
J M Woodworth,
Wm C Ellsworth,
Asahel Deming,
Jasper Rand,
Thomas Child jr.
James C Stone,
Henry Follett,
Aaron Hull.

Enosburgh.

Charles Stevens,
Horace Eaton,
Bennett Eaton,
Samuel Kendall,
Dennis Samson,
Samuel Dow,
Charles B Maynard,
M M Chamberlin,
George Adams,
Wm N Smith,
H N Barber.

Fairfax.

C Sampson,
Joseph Hunt,
Henry Soule,
Aaron S Beeman,
J H Farnsworth,
Hiram Bellows,
Joshua Brush,
Anson Soule,
Madison Scott,
Ira Hunt,
Alfred Wheeler,
Stratton B Hunt,
Philo Weeks,
Philo England,
Benj Richardson,
A H Orton,
Stephen Gilman,
John Kingsbury,
Charles H Beeman,
Hilkiah Pierce,
H C Safford,
George Buck,
Ira Farnsworth,
Reuben Moulton,
James Bellows,
N M Larned,
Alvah Barron,
H E Hubbell,
Salmon Bradley,
Thomas Tabor,
Oliver Church.

Fairfield.

Joab Smith,
John Leach,
Joseph Bowdish,
Lyman Royce,
Sam'l Beardsley,
Bradley Soule,
Tho's W Butler,
Joseph Soule,
R R Sherman,
Joseph A Farnsworth.

Fletcher.

Albert Kinsley,
Jesse Bailey,
Nathan R Bingham,
John Kinsley jr.
Reuben Armstrong,
Otis Sherman,
Lorenzo Blaisdell,
Ebenezer Bailey,
Guy Kinsley,
Lucas Holmes,
Joseph Robinson,
Jonathan Wells jr.
Eli Ellenwood,
Z W Strait.

Franklin.

Enos Persons,
J H Hubbard,
Peter Chase,
F S Gates,
Nahum Temple,
Adolphus Dewing,
Enoch Pomeroy,
Reuben Towle,
Asa Hammond,
J H Cheney,
Charles Felton.

Georgia.

Ira Hinckley,
Harvey Colton,
Truman Williams,
Cyrus Hotchkiss,
Horatio Goodrich,
Asaph Phelps,
Hiram H Hale,
Stephen T Larned,
Hiram Fuller,
Lorenzo Janes,
Solomon Bliss,
Medad Baker.

Highgate.

Conrad Saxe,
E C Haskin,
William Skeels,
Walter C Stevens,
Luther Meigs,
Charles H Jenison,
Israel S Jenison,
Jesse Cutler,
Ebenezer Hill,
George Averill,
Charles H Larabee,
Harvey Hyde,
John Johnson jr.
Jacob Brewer,
D H Farrington,
Benjamin Peak,
L E Pelton,
B F Hollenbeck,
Sessions L Hafion,
Samuel Gates,
Wm Teackout.

Montgomery.

Rufus Hamilton,
B W Fuller,
Eli W Brush,
Luther Martin,
John L Clapp,
Lemuel Robbins.

Richford.

John Huse,
Josiah Blaisdell,
Jona. Carpenter,
Alden Sears,
Nathaniel Sears,
Jesse Woodruff,
Ariel Parker,
Zophir Fletcher,
Jay Powell.

Sheldon.

Augustus Burt,
Theo. Mansfield,
Jacob Wead,
Cyrus Keith,
Alfred Keith,
E J Deming,
Joseph S Butler,
Elihu Goodsell,
Andrew Durkee,
Charles Durkee,
J F Scribner,
Jacob Saxe,
Alanson Draper,
John Fish,
Henry Hawley.

St. Albans.

Alanson L Wright,
Jeremiah S Morrill,
Daniel P Carpenter,
Merrill Ladd,
Ralph Lasell,
Wm K Webber,
Samuel Jewell,
Benj F Fuller,
Alvah Skinner,
Joseph Weeks,

Heman Green,
Jeptha Bradley,
Bildad Paul,
T H Campbell,
James Davis,
Samuel Barlow,
William Bridges,
R H Hoyt,
Orange Adams,
D A Danforth,
Willard Jewell,
H G Smith,
Henry Adams,
Samuel Parsons,
Hiram B Sowles,
H E Seymour,
H R Beardsley,
J J Beardsley,
Victor Atwood,
John G Smith,

Asa O Aldis,
Henry Wells,
Curtis Wilkinson,
J H Brainerd,
Timo. Sowle jr.
B H Smalley,
A H Huntington,
Bates Turner,
Annas Quimby,
Isaac B Bowdish.

Swanton.

James Fisk,
Warren Robinson,
Jared Spaulding,
Asa G Bennett,
George Bullard,

Hiram Tuller,
Valentine S Ferris,
George Green,
Roswell Mears jr.
C A Mead,
Simon Kellogg,
Joseph Blake,
M E Housinger,
Jeremiah Sanborn,
Alfred Forbes,
Ira A Vanduzee,
George Barney,
John S Foster,
Abel Smith,
John B Dunbar,
Shadrach Hathaway,
Cornelius Wood,
John Barney,
Jonathan Wait,
Lewis Janes.

LAMOILLE COUNTY.

John Warner, } *Assistant Judges of the Co. Court.*
Calvin Burnett, }

Nathaniel P. Keeler, Hydepark, *Sheriff.*

Wm. Edwards, *High Bailiff.*

Wm. H. H. Bingham, *State's Attorney.*

Samuel A. Willard, *Judge of Probate.*

Vernon P. Noyes, John C. Page, Erastus P. Fitch, *Jail Commissioners.*

JUSTICES OF THE PEACE.

Belvidere.

Moody Shattuck,
Stickney Hodgkins,
Randall Shattuck,
Orsamus Hodgkins,
Richard Tillotson,
Andrew Hodgkins,
Amos K Whittemore,
Francis Smalley,
Jere Shattuck.

Cambridge.

Lewis Parker,
Robert Wallace,
Enoch Carlton jr.

Miles Bennett,
Jesse Sears,
Oel Safford,
Earl Smilie,
Erastus Townsend,
Beriah Curtis,
Wm Blaisdell,
J B Gilmore,
Joseph B Morgan,
Ambrose Chase,
Norman Atwood,
Rensselaer Reed,
Gardner Gates,
Martin Wires,
Thaddeus Murdock.

Eden.

Luther H Brown,

John T Pratt,
Abel Smith,
Daniel Malvin,
Sam'l Plumley jr.
Massey Bassett,
Amos Dodge,
Moses Mason.

Elmore.

Horace Atkins,
Abner Doty,
Samuel Bailey,
David G Camp,
Samuel D Glines,
Lyman Dodge,
David Cook,

Nehemiah French.

Hydepark.

Lucius H Noyes,
Harlow P Smith,
Philo G Camp,
Jesse B Noyes,
John C Page,
Harry Davis,
Nehemiah Waterman,
Horace Hazen,
Stephen B Clough,
Aaron Keeler.
Erastus P Fitch,
James Newland,
Carlos S Noyes,
Ariel Huntoon,
Lorin Bundy,
Joshua Sawyer,
Elisha Beardman.

Johnson.

Joseph Waterman,
Sewall Newton,
S S Pike,
Ralph Hill,
Andrew Dow,
Jacob Hayford,
Caleb Lathrop,
S G Safford,
John C Dodge,
George W Hill,
Salmon Wires,
Wm Simonds.

Mansfield.

Joshua Luce,
Joseph Lake,
Amanda Peterson,
David A Marshall,
Moses Nutting,
Noah C Burns.

Morristown.

Stephen Bingham,
Samuel A Willard,
Nathan Gates,
Nelson Slocomb,
Luke P Poland,
Horace Powers,
Vernon P Noyes,
Warren Spalding,
Daniel F Gates,
Amos Eaton,
Nathan Perkins,
Joseph Sears,
Truman Tenney,
Benoni Shaw,
Hiram Earl,
David P Noyes,
V W Waterman,
Almon Tinker,
John Ferrin,
Lathrop Eaton,
Horace C Goodale,
John Miles,
Daniel Ferrin.

Sterling.

Moses Vilas,
Arad Baker,
Elisb Wilkins,
Derrick Darling,
Loren Page,
Oliver Saunders.

Stow.

Asa Raymond,
Daniel Moody,
Nathan Foster,
Asahel Raymond,
P C Lovejoy,
P P Delano,
O W Butler,
Lemuel Thomas,
Abner Fuller,
Marvin Dutton,
J H Fennett,
D F Allen,
Riverius Camp.

N H Thomas,
S S Burke,
R Washburn,
H S Camp,
A C Burke,
Benj. Morrill,
W H H Bingham,
John Moody,
E Barrows jr.
Edwin Thomas,
Paul Harris jr.
Stephen Atwood,
Isaac L Alger,
Hiram Kellogg,
Joseph Benson jr.
Hiram Towne,
Albert Camp,
George Wilkins,
Hubbard Hancock,
Benj H Fuller.

Waterville.

Alpheus Morse,
Wm C Burbard,
Stephen Leach,
Joseph D Freeman,
Eliphalet Brush,
Jesse C Holmes,
Richard Bailey,
Moses Fisk,
Luther Poland,
Stephen L Hemenway.

Wolcott.

Isaac Pennock,
Jonathan Smith,
C A Stone,
Joel Davenport,
John Hawse,
Wm Edwards,
Sylvester Bliss,
Gilbert Noyes,
Daniel Bartholomew,
Ephraim Ladd,
Nathaniel Jones.

ORLEANS COUNTY.

Isaac Parker, } *Assistant Judges of the Co. Court.*
Jairus Stebbens, }

Geo. Worthington jr., Irasburgh, *Sheriff.*

Joel R. Daggett, *High Bailiff.*

Geo. Nye, *Judge of Probate.*
Jesse Cooper, *State's Attorney.*
Moody B. Kimball, Bela T. Jones, Luke Spencer, *Jail Commissioners.*

JUSTICES OF THE PEACE.

Albany.

Benjamin Aiken,
Medad Darling,
R B Hovey,
Parley Hyde,
Luther Delano,
Eli Chamberlin,
Orrin Austin,
Edward Flint,
Luke Story.

Barton.

John Kimball,
Luther Merriam,
Daniel Smith,
John H Drown,
Sylvester D Kimball,
Alexander Wright,
Luther Spencer,
John Evans,
A S Edwards,
Richard Newton,
George Leland,
Jesse Mansfield,
Benj F Robinson,
Jesse Cook,
Amos C Robinson,
Wm P May,
John H Kimball.

Brownington.

E G Strong,
Page Renick,
Wm Jocelyn,
Timothy Jocelyn,
Jona. F Skinner,
Joseph N Savage,
Chester Gilbert,
Wm Gilliam,
Gilman Esty.

Charleston.

James P Tyler,
Earl Barney,
Loren W Young,
Willard Chase,
Amos Purlin,
Elisha Bingham,
Elijah Robinson,
Dan'l W Palmer,
Winthrop Cole,
Ira Warren,
Gardner Gage,
Silas Gilkey.

Craftsbury.

Isaac Hovey,
James A Paddock,
Nathan S Hill,
John W Mason,
Samuel C Crafts,
Joseph Scott,
George F Sprague,
Nathaniel Nelson,
Wm J Hastings,
James E Burnham,
Silas Grow,
Noah Spalding,
George H Cook,
Alvah R French,
E C Hovey,
William Hidden,
Asa Cole.

Derby.

Lewis C Bates,
Samuel Cheney,
Israel Blake,
Oren Newcomb,
Chester Carpenter,
Timothy Hinman,
Jacob Chase,
George Robinson,
James Jane,
Elbridge G Cobb,
Levi B Child,
Wm Verback,
Rufus Stewart,
John Albee,
Wm P Bates,
Gardner Chase,
Z W Niles,
Jeremiah Glines,
Harry Daggett.

Glover.

John Boardman,
Charles Hardy,
Solomon Dwinnell,
Jos. H Dwinnell,
Wm H Martin,
John Crane jr.
James Simonds,
J A Fletcher,
Amos P Bean,
Cyrus Beemis,
John U Hill,
Hezekiah Bickford,
Sam'l F Cook.

Greensboro'.

Ezekiel Rand,
Samuel Hill,
Jabez Pinney,
Nathan Cutler,
John Sawyer,
Horace Cass,
Josiah Hale,
John C Tibbetts,
Joseph G Stanley,
Amos Smith,
George W Page.

Holland.

J C Robinson,
Henry Finney,
Nathan S Davis,
William Hall,
Leonard Clark,
Bushnell Kent,
Ezra Hinman.

Irasburgh.

George Nye,
Jesse Cooper,
M B Kimball,
Bela T Jones,
Joseph Chapman,
Jonas Kidder,
Ralph P Skinner,
Asa Hardy,
H M Bates,
C W Prentiss.

Jay.

Asami Brown,
Wm Williams jr.
Bradley Sanborn,
Walter Carlton.

Lowell.

Nathan Kelton,
Daniel Sanborn,
Calvin Sartwell,
Martin Reynolds,
William S Flint,
Ziba Coburn,
Charles Leland.

Morgan.

Samuel Bartlett,
Jotham Cummins,
Ruel Cobb,
Ira Leavens,
John Grow,
Odlin Sanborn,
Simeon Albee,
Cyrus Hemenway,
William Colby,
Charles Cummings.

Newport.

Orville Daggett,
Jonathan Frost,
Seymour Lane,
Philander Sawyer,
Otis Sawyer,
Solomon Jenness,
Orville Robinson,
John Chase,
Asa B Moore.

Orleans.

Philip Flanders,
Isaac Parker,
Eenezer M Gray,
Joseph Wiggins,
John W Muzzy,
Sam'l S Kendall,
Orin Alton,
Holland Thrasher,
Greenleaf Boynton,
Thomas Guild,
O T Brown.

Salem.

Noyes Hopkinson,
Calvin S Grow,
Abial Cole,
Samuel Blake.

Troy.

Wm Billings,
Ralph Chamberlin,
Ira A Bailey,
W Corey,
N Boardman,
James Keith,
Ezra Johnson,
D H Beard,
Samuel Sumner,
T J Sartwell,
Sam'l H Hovey,
James Hamilton,
H Hastings,
John Hamilton,
Robert Kay,
John W Currier.

Westmore.

Henry Gates,
Peter Gilman,
Loren Huntley,
Ira Cheney,
Ethan Blodgett.

Westfield.

James Brown,
Asahel Hitchcock,
Jairus Stebbins,
Chester Coburn,
Orlando Winslow,
Luther Page,
R S Page,
Franklin Chamberlin,
Jere Hodgkins.

ESSEX COUNTY.

John S Nelson, Owen Brown, } *Assistant Judges of the Co. Court.*
Geo. W. Gates, *Sheriff.*
Wm. Rich, *High Bailiff.*
Wm. Heywood jr., *State's Attorney.*
Azariah Webb jr., *Judge of Probate.*
John Dodge, Isaac Cummings, James Folansbee, *jail commissioners.*

JUSTICES OF THE PEACE.

Bloomfield.

Martin French,
Selden Burbank,
Samuel N Silver,
Silas Wright,
Stephen A Foss.

Brighton.

Jason Currier,
Oney Aldrich,

John Stevens,
John Kilby,
James M Doyl,
Elias Aldrich.

Brunswick.

Elias Taylor,
R C Belknap,
Michael Flinn,
Haynes Schoff,
George Marshall.

Canaan.

Gilbert L Frizzel,
Joshua Morrison,
Jonathan Hoyt,
Heman Nichols,
William Rich,
Moses Morrill,
William Morrill,
Stephen Kemp,
Alexander M Dennett,
Fletcher J Garnsby.

Concord.

Harvey G Fry,
David Hibbard jr.
George Carpenter,
John Fry jr.
Moses Hill,
Warner Bingham,
Benjamin Woodbury,
William B May,
John Morse.

East Haven.

Seymour Walter,
Elijah Ross,
John Walter.

Granby.

Elisha Fullam,
Ashley Appleton,
John Batchelder,
Jonathan Matthews jr.
Edward D Griffin.

Guildhall.

Isaac Cummings,
Seth Cushman,
John Dodge,
Wm Heywood jr.
Horace Hubbard,
Oramel Crawford,
Moses Rogers,
Jonathan Benjamin.

Lemington.

James H Mills,
Abdiel Blodgett,
Beach Blodgett,
Thomas Holbrook jr.
John Bailey.

Lunenburgh.

Myron S Chandler,
Mitchell Silsby,
Reuben C Benton,
Leland Snow,
Seth Cutler,
Stephen Howe,
John Dean jr.
Seneca Sargeant,
Daniel Snow,
William Chandler,
Joseph Gleason jr.
Spencer Clark.

Maidstone.

Moody Rich,
Samuel D Merrill,
James Folansbee,
Thomas Highland,
John W Webb,
Royal Boston,
Horatio N Schoff.

Victory.

Ransom Hall,
Jonathan Hill,
James Towl,
Ansel Hannum,
Elisha Gustin,
Moses C Kimball.

Wenlock.

John Cargil,
James Corey.

GRAND ISLE COUNTY.

Calvin Fletcher, Joseph M Mott, } *Assistant Judges of the Co. Court.*

Gary Whitney, North Hero, *Sheriff.*

Martin Reynolds, *High Bailiff.*

William H. White, *State's Attorney.*

Joel Allen, *Judge of Probate.*

Augustus Knight, William Russell, Elihu Parks, *Jail Commissioners.*

JUSTICES OF THE PEACE.

Alburgh.

Benjamin Gorden,
Albert C Butler,
Wm A Ladue,
Wm H Lyman,
Hiram Sweet,
Albert S Matthews,
Wm L Sowles,
Lewis Sowles jr.
John M Sowles,
Lewis W Sowles,
Alanson Niles.

Grand Isle.

Samuel B Gorden,
George W Hyde,
Norman Gorden,
Daniel Jackson,
Seth Hong,
Nathan Witherell.

Isle La Motte.

Daniel Walt,
Carmi Hall,
Jared Pike,
Elihu Holcomb,
Doras V Goodsill,
Dyer Hill,
Joseph H Eddy,
Henry Fisk.

North Hero.

John Knight,
Elisha Hibbard,
Wm H Russell,
David Harvey,
Harvey Darby,
John Martin,
Joel Town.

South Hero.

Lorenzo Hall,
Hector Adams,
William H Phelps,
Orange Phelps,
William Landon.

STATE OF VERMONT, }
SECRETARY'S OFFICE, Nov. 12, 1842. }

I certify the foregoing to be a true list of County Officers, appointed by the Legislature of said State, at their October session, A. D. 1842.

C. L. KNAPP, *Acting Secretary of State.*

AUDITOR'S REPORT ON THE SUBJECT OF PUBLIC ACCOUNTS, ACCOMPANYING THE MESSAGE OF THE GOVERNOR.

To the General Assembly of the State of Vermont now sitting :

By a concurrent resolution of the Honorable the Senate and House of Representatives, passed on the 10th of November, 1841, "The Auditor of Accounts" was, among other duties, by that resolution assigned him, instructed to report at the then next session of the Legislature, "what modification of the law is necessary to secure a more thorough accountability, by every officer or citizen, being in the receipt of money, belonging, in any wise, to the State of Vermont."

A law, which shall secure a faithful application of all the public funds, will owe its principal efficiency to some provision, which shall frequently bring to the notice of government, the entire sources and disbursement of the public revenue. Civil laws will never execute themselves, but always require the pervading energy, which enacted them, to secure their desired results. Abuses in the laws and in their administration will remain unredressed, till these abuses are brought home to the knowledge of those, whose province it is to correct them. Omniscience and omnipotence are attributes of a perfect Legislator, and wherever a government is fully advised of all its rights as a government, and of all the duties of the citizens, it need not be feared, that the rights of the one will not be secured, or the duties of the other enforced. It is not less promotive of official integrity, than conservative of the public funds, that every officer of the government should feel a legal *necessity* to be honest. The collection, keeping and disbursement of the public treasure, require integrity, and perseverance, united to a competent knowledge of the laws relating to finance. All revenue and its disbursement should be regulated by law, and the subject requires the constant and vigilant supervision of the legislature. But the brief

term of the session of our General Assembly, and the frequent changes of the constituent members of that body, render it difficult for the legislature to exercise that vigilant supervision of the public treasury, which its importance demands. Should an individual member project a plan to improve the law relating to finance, the session is too short to enable him to perfect his designs. In the mean time the uncertainty of his re-election, together with the pressing nature of private avocations, crowd the consideration of the public interest from his thoughts, and a purpose, originating in a pure regard to the general interest, is stifled by the clamorous calls of private cares.

The laws passed in 1797, for the regulation of the finances of the state, were subject to many imperfections, as their frequent amendments have fully shown. Those laws, in their most approved amended form, have never been sufficient to secure the treasury against the possible perversion of its funds. What member of the General Assembly, since that period, has known sufficient in relation to our laws of finance and of their execution, to enable him to pronounce with certainty, that the funds of the state were duly collected and honestly disbursed? Would it be presuming too much to affirm, that none could say it, aside from a conviction of the integrity of our public functionaries? As a general rule, the presumption should be, that the public funds are wasted, where the contrary cannot be shown.

Since the period above alluded to, we have had no system of finance which has brought all the different and scattered fragments of evidence of public claims or property to a focus, where the eye of the legislature could rest upon all the sources of revenue at a glance, and where any extravagant or disproportionate allowance could at once be detected, and all wasting of the public funds prevented. It may be, that the public funds, at *times*, have been faithfully collected and disbursed; our laws of finance should be such as to enable the proper department to *prove* that the system is *always* thus administered.

In pursuance and discharge of the duty assigned him, the Auditor would advert to some defects in our laws of finance at present in force; and the modifications, necessary to secure the desired accountability, and would respectfully interpose such remarks, as the subject may appear to him to re-

quire. A narrow and literal construction of the resolution might seem to restrict inquiry to simple accounting; while a more liberal, and obviously a more rational interpretation, would permit and require an investigation of every case of unjust acquisition and detention of the public funds; for all funds obtained or detained by fraud, covin or deceit, should be accounted for.

For every practical purpose, whatever the law permits, in the appropriation of the public funds to private use, it commands. It will be therefore sufficient for our present purpose, to notice some of the abuses, which the law now in force permits, or does not prevent. Such an investigation will furnish a practical commentary on the law, and be a safe guide, to the remedies, which the defects of the present law require.

It has been the policy of the government to leave open numerous avenues to the public treasury. As the law now is, a claimant, wishing to obtain an order on the Treasurer for an alledged claim on the state, may apply to the County Court; to the Supreme Court; to the Quarter Master General; to the Auditor; to the committee on Debentures, and to the General Assembly; nor are these all the avenues open to the cupidity of claimants on the public treasury. If the claimant be denied at one department, he may resort to another. If the claim be allowed in part at one department, he may accept the allowance *pro tanto*, and present the claim anew, at another department, to be again allowed, and thus abstract from the public treasury an amount commensurate, with his own views of the justice of his claim, or the demands of his avarice.

If a claim have been allowed by the legislature, in a spirit of compromise, with an express proviso, that it shall be a final settlement of the claim, the claimant has but to wait till the transaction is forgotten, or other men come into power, to present it again for a second or third allowance, as the conscience of the claimant will allow.

The laws now in force do not prevent such practices, but all these abuses can be, and have been practiced under the existing laws, and those in force at the time of the revision. It is not less true of the Treasury, than of a fortress, that the fewer the avenues to it, the more easily will it be defended.

To illustrate the operation of the law in practice, the fol-

lowing facts may be stated, as having come under the immediate observation of the undersigned, or so far within his knowledge as to leave no doubt of their truth.

A claim was presented to the proper department for allowance; it was disallowed, with the offer to refer it to the General Assembly, for their consideration. The reference was declined, and the claim withdrawn. It was subsequently presented at another department and allowed. Had the claim been referred to the General Assembly, the reasons for the disallowance might have been considered. In such a state of things, it is apparent, that a claimant has much the advantage of the government, for though many times defeated, he may ultimately obtain, while no judgment except the last, will avail to protect the government against a subsequent allowance.

Another claim was presented for allowance; it was considered and allowed at such a sum as was supposed to be just, and no appeal was taken. The claimant's order was paid at the Treasury, and in the mean time, the same claim was again presented at another department, the same reasons urged for allowance, as had been before ussd, and the claim allowed at a much larger sum, than the first allowance.

Claims against the state have been frequently allowed by the General Assembly, with an express proviso, that the sum allowed should be in full satisfaction for all demand on the government for the alledged cause; the condition has been accepted, the money received, aud still in a very brief period, the claim has been again presented and allowed, and in some instances at a greater sum.

In other cases, dishonest attempts to obtain more than one compensation for property, taken for public use, or for services rendered the state, have been defeated, by the memory of an aged member of the Legislature, assisted or refreshed by a recurrence to a musty journal of that body.

Another practice has obtained of preferring the same claim before the General Assembly from year to year; and though the subject has been, upon as full and impartial examination, as any legislative proceeding can be, finally decided to be without merits, still the claimant has contined to press his demand, to the great delay and hindrance of the public business, and probably to his own damage, until some committee has

reported to allow it, as a mere expedient to dispose of a troublesome subject, rather than from its justice.

Between individual litigants, a judgment recovered in a court of justice, or before arbitrators, or an accord and satisfaction, is to the parties "an end of all strife"; but not so between claimants and the government. In this latter case, the demand will be urged from year to year, during all which time the reasons *against* allowance are fast fading away, while the constant vigilance of the claimant is accumulating reasons *for* allowance, which did not exist, when first presented. Could a board be constituted, clothed with legal and equitable authority, finally to dispose of all such claims upon the government, it would seem to be promotive of justice, and prevent the loss of much valuable time of the Legislature. There would seem to be no good reason, why a claimant upon the government should be permitted perpetually to urge his claim against it, after such investigation and judgment had, as would be final and conclusive between individuals. If a claim has been fairly *adjusted* and *paid*, all will allow, that the Legislature should be exempted from further attention to the subject. So, too, if on an impartial investigation it be found to be *destitute of merits*. If a claimant will continue to petition, the petition may be received, and these facts appearing, the Legislature in justice should be discharged from further attention to the subject.

The establishment of such a board would not conflict at all with the right of petition, and would further the ends of justice. Many petitions for remuneration from the public Treasury require judicial investigation, and whenever the judicial functions of government can be exercised, separate and distinct from the Legislature, it is desirable, that it be so done. A claim may be presumed to be as dispassionately considered by a board constituted expressly to investigate public claims, as by a committee of the Legislature. If it be urged, that a government should be liberal to claimants, upon its bounty or its justice, it should not be forgotten, that every cent allowed beyond strict justice, is so much wrongfully wrested from a taxpaying community; and that liberality on the one hand, becomes extortion on the other. In such case the inquiry is one, which may be much better settled by the cool and calm deliberations of a judicial body, than by a committee of the Legislature, subjected to the influences of party, the press of

public business and other causes, but illy calculated to aid the mind, in coming to a just decision on an important question.

Another defect in the law at present in force, is the absence of an uniform rule of allowance, for services of the like character. The judges of the county courts are authorized to "allow and tax any reasonable sum for cost and expenses of arresting, pursuing, detaining, and transport any person, who have been convicted of any crime in this state." Also to allow sheriffs and constables accounts, for arresting and transporting prisoners, apprehended on warrant charged with some crime. In these cases different rules of allowance have been adopted in different counties. In some, a strict construction of the words "costs and expenses" has been supposed to comport best with the intention of the Legislature, and nothing has been allowed the person apprehending the felon, for his time; while in other counties allowance has extended to cover not only "cost and expenses," but the time of the pursuer also. A charge for apprehending a prisoner escaping from jail, through the insufficiency of the jail or the carelessness of the jailor, has been allowed and paid from the State Treasury. In neither contingency should the payment have been made from the State Treasury. The expenses of apprehending, detaining, and transporting persons apprehended on criminal warrants, has greatly augmented within a few years. New items of charge have crept in; the prisoner has, from one pretext or another been in the custody of keepers, for several days in succession, and bills have been presented and paid, containing charges for boarding prisoner, for keepers, for tavern expenses, &c. greatly exceeding former allowances.

That abuses in the allowance of claims, growing out of the administration of our criminal jurisprudence, have crept in, may be inferred from the following facts. The amount paid court orders for the year, ending November 1838, was $16,-298 33. The amount paid, from November 1838, to September 30th, 1839, was $20,405 94. The amount paid from September 30th, 1839, to September 30th, 1840, was $26,020 24; and the amount paid for the year ending Sept. 30, 1841, was $31,726 63.

The examination of the Treasurer's books, thus presents the striking fact, of a pretty uniform increase of payments made on court orders for the above named five years. The

balance paid court orders during the year ending November 1838, over and above the amount paid into the Treasury by

State's Attorneys was	$12,424 26
Balance for 1839 was	15,079 86
Balance for 1840 "	24,215 97
And balance for 1841 was	27,368 43

Thus while there has been a very considerable increase of expenditure in the payment of court orders, there is witnessed a diminution of the amount of moneys paid into the Treasury by State's Attorneys. From an examination of the returns of state causes, there appears to be no considerable increase of state prosecutions, on the criminal dockets, of the courts, nor has the number of convicts in our penitentiary, for the period under consideration, materially increased. It is hence inferred, that the excess of expenditure, for that period, is to be attributed to some other cause than to the increase of criminal prosecutions.

There is noticible a marked disproportion, between the amount of court orders paid at the Treasury, originating in different counties.

In the year 1841, the amount of sheriff's bills paid in court orders, for the county of Windsor, was $288 99 only. The dockets of the courts were unusually crowded, even for that county, and two pannels of jurors were summoned each term. In another county in the state, consisting of a population but a fraction over one half that of Windsor county, the sheriff's bills paid in court orders that year amounted to $984 75, being an excess of almost 400 per cent. over the amount paid for the like service, in Windsor county, though the population of the latter county exceeds that of the former almost 50 per cent. The result is, that the sheriffs in one county are paid $7,61, while those of the other are paid $1,00, or in that proportion.

This great disproportion between these two Counties cannot be reasonably charged wholly to the different amount of business done. Something may be presumed to be attributable to some innovation in charging and allowance of accounts.

Another defect, in the law now in force, is, that in some cases it secures no *accountability* from persons entrusted with the public funds, nor does it secure even a *record* of the prop-

erty intrusted to its agents. It is believed that the property, belonging to the old Vermont State Bank, has been committed to the agent, appointed by law to settle that concern, without inventory,

It is not known that any records of that property have been kept for many years, nor is it an easy matter to exhibit the amount committed to the different agents, intrusted with the settlement of the concerns of that institution, without a long and difficult examination of the history of that Bank, from the time it ceased to discount. The law, appointing those agents, made no provision for an inventory of the property intrusted to them, or for auditing and settling their accounts. As honorable men, they were allowed to retain such sum as they might deem to be a just compensation for their services, and to transmit the balance of the funds, with which they were intrusted, to their successors in office.

The law thus placed these agents in the position of being auditors of their own claims against the government.

By the 4th section of chap. 9 of the military act, passed in 1837, the Commandants of Regiments were authorized to draw on the Treasury for an indefinite sum, to pay officers and soldiers required to attend regimental drills, and all sums thus drawn were at the disposal of the Quarter-masters of the regiments. The law required no accounting, whether the officers and soldiers attended the drill or not, or were or were not entitled to pay.

By the 15th sec. chap 10th of the act, in addition to the act of 1837, it was provided, that it shall be the duty of the commandant of each regiment to certify on his order upon the Treasurer, that the regimental drills, &c. have been duly held. Still there was no provision for accounting for the money, should a balance be left in the hands of the quartermaster.

In the 4th section of the act in addition to the several acts regulating and governing the militia of this state, passed Oct. 29th, 1840, it is provided that "any neglect of the several Quartermasters of regiments, to make the return herein required, or of suffering any of the funds of the regiment, in their hands, to be paid out for any other purposes, than those required by law, shall be deemed a breach of the condition of their bonds." Still no accountability is secured, because

it is made the duty of no one to see that their accounts are rendered, or that the bond is put in suit; for though by sec. 1st the Quartermaster General is *authorized* to prosecute any breach of such bond, it is not made his *duty* to do so.

The statute makes it the duty of county clerks to keep account of all monies by them received as court and jury fees, and settle the same with the judges at each term of the court, and after paying jury fees, &c., "the balance to be paid to the State Treasurer." Should a clerk neglect to settle his account, or to pay the balance to the State Treasurer, it would without doubt be a breach of the condition of his official bond, but a knowledge of these facts might never reach the Treasurer, or any one whose duty it is to prosecute the bond; or if the bond were put in suit, the evidence would be wanting to prove the amount of the liability of the clerk.

The Board of Commissioners for the instruction of the deaf, dumb and blind, are required by the statute to make an annual report to the Governor, of their proceedings, with an account of the expenditures incurred by them in the discharge of their duties. If these commissioners annually make their report, and the Governor approve of the disbursement of the appropriation, made by the Legislature for that object, the money is accounted for; otherwise not, as the last section of the act relates only to the personal expenses of the commissioners, which are settled by another department.

The law creating the office of Sergeant-at-arms, required that officer to give bonds, but it was made the duty of no one to take notice of the infraction of the conditions of that bond. That officer is required to make an accurate schedule or inventory, embracing every article of furniture, &c., and annually deliver it to the Secretary of State, to be preserved on file in his office. This duty may be all executed to the letter of the law, and still the property of the state may be purloined to an indefinite amount with perfect impunity, for it is the business of no one to compare the property furnished for the use of the succeeding Legislature, with the inventory lodged in the Secretary's office.

The law designed to secure the accountability of States' Attorneys, seems to require to be modified in several particulars. In the first place, the method provided by law, now in force, to ascertain the liability of State's attorneys, and to

charge them in account, is circuitous, complex, and difficult to be carried into operation. It is less simple and direct than it should be, to facilitate and secure a perfect accountability. Justly to charge a State's attorney, with all the moneys which may come into his hands, in the discharge of his official duty, depends upon several contingencies, either of which failing, a correct account cannot be kept with the attorney. The Treasurer is the officer intrusted with the duty of opening and keeping accounts with State's attorneys. By sec. 54th, chap. 11th, each State's attorney is required annually to make out and exhibit to the State Treasurer, on or before the 15th of October, an account of the disposition of all fines, forfeitures, costs, judgments, &c.; and by the 56th section the State Treasurer is authorized to audit and allow such account, &c.

In practice, this accounting, by the attorney with the Treasurer, is simply the presenting, by the attorney, of a statement of his own account, accompanied with the payment of such sum as the statement shows to be due, and from the nature of the case it cannot be otherwise.

These accounts are generally presented in the early part of the session of the Legislature, when the time of the Treasurer is fully occupied in the more appropriate duties of his office. If the attorney rightly balance his own account, after having charged himself with all his liabilities, all is accounted for; otherwise not. These accounts are presented on loose pieces of paper; nothing is transferred to books, and the accounts themselves, in times past, have been suffered to be scattered in the Treasurer's office, like Sibyl's leaves, in the cave, liable by every accident to be lost or destroyed. The statute of 1807 imposed upon the Treasurer the duty of opening an account with each State's attorney in the several counties. To enable him to do so, the several county clerks were required annually to make and transmit to the Clerk of the General Assembly, at the October session, a true and just statement of all the civil causes in favor of the State Treasurer, and also all the criminal causes entered on the dockets of the respective courts, during the preceding year, &c. In Slade's edition of Laws, page 561, it is made the duty of the Clerk of the General Assembly "to transmit the original returns, after they had entered them on the Journals of the

House, to the Treasurer of this State." This was done to enable him to compare the returns made by the Clerks with the returns made by the State's attorneys, and therefrom to commence and open an account between the State and each State's attorney. The Clerks were directed to make these returns annually, at the October session of the General Assembly, and this might not be till after the attorney had rendered and settled his account, and of course could not aid the Treasurer, in making the settlement, even if other circumstances had been favorable. In the Revised Statutes it is not made the duty of the Clerk of the House of Representatives to transmit the original returns of State causes to the Treasurer. Still the Treasurer is authorized finally to adjust and close said accounts.

In the revision, the county clerks are not required to make their returns to the Clerk of the House of Representatives, till the third Thursday of October, nor is the Clerk of the House required by that statute to enter those returns on the journals at all, though the practice has been to do so. It would seem that the original design of these returns had wholly failed, and it is difficult to perceive any valuable purpose to be accomplished, either in making these returns, or in their yearly publication in the Journals. It is evident that they cannot aid the Treasurer in settling the State's attorneys' accounts, and it may happen that the publication of a prosecution for an infamous crime, will injuriously affect the reputation of the innocent. The making and the publication of these returns are an occasion of considerable annual expense, which might be avoided with no detriment to the public service. As the law now is, there can be no other accounting with State's attornies than that before described, which is no other, than the mere statement of the attorney himself. The law requiring county clerks to make returns of state causes, was designed at once to be a check upon State's attorneys, and to aid the Treasurer in keeping those accounts. This law has not been carried into the revision, and to require the Treasurer to secure the State against loss in such case, would be to require him to deliver "the tale of bricks," while the straw is withheld.

In the 10th Sec. Chap. VIII. R. S. it is made the duty of the Treasurer, within thirty days after the close of each ses-

sion of the Legislature, to commence suits, among others, against State's Attorneys, who have been delinquent &c. in the payment of dues to the Treasurer. And in the 11th Sec. it is enacted, "If the Treasurer shall neglect to commence suits, as provided in the preceding section, he shall be answerable for such delinquency, in the same manner as if the sum so in arrear had been paid into the Treasury when due." The purpose, to protect the Treasury from loss, is here strongly manifested, but the law must always fail of its designed operation. How is the Treasurer to be informed whether an attorney has been delinquent in the payment of dues to the Treasury? Fines, forfeitures, costs and judgments may have been collected by the attorney, and still no knowledge of the fact may have reached the Treasurer.

True, by the letter of the law, he shall be accountable for all such delinquencies, in the same manner, as if the sums, so in arrear, had been paid into the Treasury when due, if he neglect to bring suit within thirty days; still it is doubtful whether our courts would enforce a law so manifestly unjust. From a brief consideration of the subject, it is apparent, that the different portions of the law, designed to secure accountability in public officers, are disjointed and do not harmonize together; that the system is complicated, and wanting in unity and directness of application, to the purpose to which it was designed, and that portions of the system are entirely expletive and useless.

That division of labor, so necessary to the satisfactory accomplishment of any purpose is wanting in our system of accounting. The appropriate duty of the Treasurer is to receive and disburse the public funds. To unite the auditing or allowing department with the disbursing department, seems manifestly incongruous. And yet, as the law now is, the Treasurer, in some cases, is made an accounting officer, and this, too, in cases, which may affect his own interest. Thus it makes him auditor to settle and allow accounts of State's Attorneys, where the allowance of an unjust credit to the attorney, might, in a certain event, free him, from an equal amount of liability to the State Treasury. The operation of the law is virtually to constitute the Treasurer Auditor to settle his own accountability to the Treasury. Another reason, why the Treasurer should not be called to the settlement of ac-

counts affecting the state of the Treasury is, that by possibility it might place the Treasurer within the influence of corruption, should a corruptible man be ever elected to that office. An officer, debtor of the government, may apply to him to have his accounts allowed at a false amount, or for services never rendered, on condition that the excess be divided with the Treasurer. If it be said that others also may be exposed to corrupt influences, it may be urged, that the facilities for corrupt appliances are peculiar, at the juncture of *paying*, as well as *settling* an account. The possibility of corruption should not exist, when it may be prevented.

A brief reference to the Treasurer's books, will convince any one that the desired accountability has not been secured, and that the defects in the law appertaining to this branch of the public interest have been of long standing. It will be found, on an examination of those books, that sums of money, due the state have been outstanding for years, in the hands of officers under bonds to render their accounts annually. The 10th Section, Chap. VIII of R. S., was enacted, for the purpose of fixing the responsibility on the Treasurer, for such delinquences, should he fail to commence suits, as provided by the Statute. But these delinquencies commenced during the incumbency of a Treasurer, now dead or out of office, and it might be difficult to determine where the liabilities ought to fall, in case of the insolvency of the original debtor and his bail. The statutes in force previous to the revision, required of the Treasurer to open an account between the state and each State's Attorney, in which the Attorney should be charged with all bonds forfeited, fines, &c. From an examination of the Treasurer's books, it does not appear that the semblance of an account has been opened with State's Attorneys, with the exception of the period elapsing from 1833 to 1836, during which time very imperfect accounts were commenced with the attorneys of several of the Counties. To secure a just accounting for the public dues, the law has made it necessary that various duties of several different officers should concur, and the failure of either of these may defeat the desired object. Thus if a State's Attorney fail to render his account, and the County Clerk to make his return of state causes, the Treasurer cannot charge the attorney in account. Again, if the County Clerk have made his return,

and the Treasurer neglect to charge the attorney in account, or to commence suit when he is delinquent, and the Treasurer, by his laches, has become responsible for the amount of the attorney's delinquencies, still, unless some one, authorized by law, shall compel the Treasurer to account and pay, the public funds are lost. Our system of finance seems to be greatly deficient, as a whole, in simplicity; and the various parts are not adapted to each other. Money is liberally scattered from the Treasury, but no public document shows to the people, that it has been *all* applied, to the various objects for which it was appropriated. The scattered fragments have not been collected to a focus, where the eye of the Legislature could contemplate the whole at one view. The Legislature cannot be expected to pass remedial statutes, for the correction of abuses, on their first appearance, but through the instrumentality of some public document, which shall annually call their attention to the subject of those abuses. The best systems of finance are liable to abuse, and in process of time will be abused. We have no officer whose appropriate duty it is to supervise the entire finances of the government, nor have we any annual report, showing their sources and disbursements.

It is believed, that the adoption of the practice of paying the contingent expenses of our courts of justice in money, and the consequent dispensing with court orders, would be an improvement of our system. These expenses accrue at stated periods, and the Treasurer could, with less difficulty, provide funds, to be applied by the county clerks, under the direction of the judges, in discharge of claims accruing for services attendant on the court, than to pay orders drawn for the payment of those services, as usually presented at the Treasury.

Those orders amount to about 4500 dollars annually, and the expense of drawing them, and of returning the abstracts to the Treasurer and Secretary of State, required by the statute, will somewhat exceed one thousand dollars. The design of the abstract is to form a check on the orders. The statute, requires the county clerks, to transmit the abstract to the Treasurer, "immediately after the session of either of the courts," and provides that no orders shall be paid by the Treasurer, until such abstract shall be lodged in

his office. The purpose of this provision was to prevent the payment of false or forged orders. Still, in past times those abstracts have had no such effect. The practice of the clerks is to draw orders during vacation, as well as during the session of the courts, and such are not inserted in an abstract till they may have been paid at the Treasury, for tho' the statute enjoins the Treasurer to pay no order till the abstract is lodged in his office, still, in practice, it is a dead letter. It is many times difficult, in the press of business, to compare the order with the abstract. They are for the most part presented at the Treasury for payment during the session of the Legislature; and it would require more time to compare them, with the abstract, than the Treasurer can well devote to the subject. The statute requires an abstract for each session of all the courts at which orders are drawn. It may be said that the law can be executed; but it may be replied that it *has not been*. In an examination of papers in the Treasurer's office, in March last, in furtherance of the present undertaking, there were discovered receipts, for monies advanced to Judges of the supreme court, to the amount of $146,00, which had been enveloped in abstracts returned to the Treasury office, and never charged to any account on the Treasurer's books, These abstracts had been in the office three to four years, and manifestly had never been opened. As checks against fraudulent orders they answer no valuable purpose. The abstract required by the statute to be returned to the Secretary of State, is probably of as little use as that furnished the Treasurer, though it will furnish materials, in the absence of better, to charge the amount of jury and court fees received and paid by the clerk.

The late Secretary of State, informed the writer that he had known of but one application, in a period of five years, to examine the abstracts deposited in the Secretary's office. But in case it should become necessary to examine any items of charge allowed, this may be done with less difficulty, by applying to the office of the county clerk, who is required by statute "to preserve and keep on file all accounts, and other vouchers, for, which such orders were drawn." It is difficult to perceive any sufficient cause for continuing the expense of abstracts, or of lumbering the Secretary's office with bundles of papers, destined never to be of use, except perhaps to amuse the curiosity of some future antiquarian.

If it be desirable, that the public funds be accumulated in one depository, and that the avenues to those deposites be as few as practicable, it is not less important, that the public securities, and the evidence of public property, be guarded with a similar vigilance. The statute requires, that the bonds of recognizance, given by county clerks, should be deposited with the Treasurer of the State. In the case of State's attorneys, the bond is required to be taken before a Judge of the county court, but the law has not directed, what department shall have the custody of the security.

On an examination of the Treasurer's office in March last, not one third of the clerks' bonds, required by law to be deposited in the Treasurer's office, and of State's attorneys' bonds, not one in twelve could be found. The examination extended back to 1833. The remainder of these bonds or securities, if ever found, must be looked for in the offices of the various county clerks, who are thus made the depositaries of the evidence and the securities, which are to charge them in a suit in behalf of the state.

If the people of this state have occasion to congratulate themselves, that no serious loss of the public funds has been experienced, it is to be attributed rather to the moral integrity and high sense of honor, inherent in our public functionaries, than to the wisdom and efficiency of our laws.

The length of this report will serve as an apology for not adverting to other less apparent defects in our system. It has been the purpose of the undersigned to propose a system of accounting, which shall be be at once simple, direct and efficient. It is not expected to be free of defects; still, as the proposed system provides, that the subject shall be annually brought before the Legislature in a report, wherein will be noticed any modification, which experience may suggest, it is hoped, that, it may conduct us to the completion of a system, which shall secure a "thorough accountability, by every officer or citizen, being in the receipt of money belonging, in any wise, to the state of Vermont."

The system proposed is exhibited in the accompanying bill.

All which is respectfully submitted by

DAVID PIERCE,

Auditor of Accounts.

REPORT OF THE SELECT COMMITTEE ON GENLOGICAL SURVEY.

To the Hon. the House of Representatives now in session:

Your committee to whom was referred so much of the Governor's message as related to a geological survey, present the following REPORT.

Your committee, in the examination of that portion of the Governor's message which was referred to them, have had it for their object to investigate the arguments by which the truth of his Excellency's assumption, "that a geological survey has a connection with the internal prosperity of the State," is demonstrated.

The investigation, into which the committee has been enabled to enter, has, as will be perceived, convinced them that this connection is not only an intimate, but a necessary one. It must be apparent to every reflecting mind, that while Vermont, for the last ten years, has done much to sustain and to elevate her reputation for moral and intellectual power, her comparative, physical and political strength has been silently and constantly decreasing. Already has this decrease, in comparative numbers, lost us one of our delegation in Congress, and upon the present order of things, another apportionment bids fair to be productive of a like result.

Some of the towns in the State have, in the last ten years, greatly decreased in population; and in many instances of increase, it is believed the result is occasioned by the desire for the enjoyment of the privileges of villages, resulting more in the dissipation than in the accumulation of wealth.

The deserted dwellings upon many a hill-side attest, that the State has lost, and is losing, much of its hardy and invaluable industry. The "laying of farm to farm," and turning the whole into wide sheep-walks, would induce the belief, that he fear that we shall become a pastoral instead of an agricultural people, is not without foundation.

The rage for western emigration has been, doubtless, the main cause of the foregoing evils. Emigration has not only taken the talents and hardy industry of the State to level forests, to build up cities, and to lay the foundations of empire, in the west, but every wave of its progress has carried with it the accumulated avails of whole generations of labor.

The effects of this emigration are no more apparent than its cause. It is, we respectfully submit, the following:

The known resources of the State are inadequate to the support of its native population.

It should appear, then, that the only way of avoiding this constant drain, and the necessity which is its cause, is by a greatly stimulated and increased production. Any thing short of this will leave us constantly sinking lower and lower in the scale of the States, and transform our State, in the end, into a vast school, in which citizens are to be educated in all learning, only in the end to be driven by necessity to carry their powers into the service of those whose interests are antagonistical to our own.

In the opinion of your committee, this stimulated and increased production will be secured in two ways by a geological survey: first, by the discovery of mineral deposits; second, by a full and ample developement of the laws of agriculture, and of the chemical and agricultural nature of our soils.

1. The discovery of mineral deposits.

It is believed that no geological fact is better established, than, that while the precious metals, so called, are found only at few localities, the mineral substances which contribute most largely to supply the absolute necessities of man, are found comparatively equally distributed over the whole earth. To detect the exact spot of their location is the province of the scientific geologist. This is done by observing the connection between the several substances. The presence of one determines the presence or absence of another.

We should look in vain for coal in the primitive granite of Windham County, or for any of the ores of iron in the alluvial deposits of Windsor County. The same developements of rocks are observable in very many portions of this State, which have been found, in all parts of the world, rich in mineral wealth. That Vermont shares largely in valuable ores, the iron mines of Bennington, Shaftsbury, Brandon, Pitts-

ford and Plymouth, the manganese of some of these places, the copper and copperas of Strafford, the shell marl of Albany, Peacham and Vergennes, are conclusive proofs. Many of these are largely worked, yet it is respectfully suggested that many other places can be pointed out, which may be presumed quite as rich in mineral treasure as those from which industry now draws so large a reward for its labor.—The many varieties of marble and of serpentine, it is believed, are imperfectly understood, and more imperfectly wrought.

The owners of lands on which the outcrossings of valuable rocks occur are often unaware of their importance, and are oftener disheartened by attempts at quarrying, which the want of proper knowledge makes unavailing. Very many instances of such misdirected effort, it is believed, may be found; and that more money has been expended in following a peeled rod, held by the hands of ignorant or vicious men, than would complete this survey, we have no doubt. The gleaming of mica in quartz has, in the eyes of excitement and cupidity, looked like silver. The heated mind of ignorance has heaped up piles of gold, curiously chrystalized, at a vast expense of time and money, which at the first touch of a scientific hand has turned into iron pyrites, totally valueless.—The substances resemble each other, in color alone.

That this survey would be attended with important discoveries, every geologist believes; and that this may be expected, every one who will examine the results of similar surveys, in the twenty States who have made them, must be satisfied. Of these results a single instance may suffice.

Michigan employs a State geologist. Among the first consequences of his employment was the discovery of a bed of gypsum of immense value; following hard upon this was that of a salt spring, which yields more than enough to supply the whole State, at one-sixth or one-eighth of the former expense. These discoveries alone would an hundred fold repay the expense of the whole survey.

2. In continuation, your committee would ask attention to the second reason in favor of this survey, viz: That it will tend to a full developement of the laws of agriculture, and of the chemical and agricultural nature of our soils.

The soil, like all other substances, is composed of certain elementary principles, generally determined by the rocks upon which it rests. These elementary principles are al-

most always found in combination with each other. These combinations are almost infinite, and are capable of almost an infinite variety of resolution and of re-combination. In short, the soil itself is a vast laboratory into which the skilful may enter, and appropriate to himself agents, powerful to subserve his purpose. The plant growing from the soil is composed of similar elements, and it is the sole object of agriculture to transfer these elements of the soil into the body of the growing plant. It is to this process to which the farmer should turn his attention, and it is with its hands loaded with the knowledge necessary to the perfection of this process, that agricultural geology tenders to him its aid.

This process might be an easy one, were the elements of the soil in just such combinations as the plant requires. Such not being the case, it is necessary that the proper change should be effected. This is done by mixing with the soil some substances which will decompose the old, and, if necessary, form a new combination. This way of producing the desired end has been pursued from time immemorial, and the foreign substances, thus used, have received the name of manures.

The manure decomposes the compounds of the soil, the plant seizes upon that portion which it requires; or the manure unites with a noxious element of the soil, forming an inert or insoluble and harmless substance, leaving vegetation to flourish now, where sterility reigned before. Take a familiar example. A piece of land, upon which there was originally a growth of pine or hemlock, has got into a condition in which it will yield nothing. A dressing of leached ashes (potash) is applied, and a luxuriant crop of clover is the result. How is this result produced? The ground, before dressing, will be found covered with a variety of useless vegetables, among which will always occur sorrel. This contains a large portion of oxalic acid. This is a proof that the soil itself contains too much acid. When the potash is applied to this soil, the acid unites with it and forms an inert compound, thus destroying the influence of the noxious element. If, on the contrary, the land contains too much alkali, acid, in some form, must be applied. Various salts furnish acid, and the solid and especially the liquid evacuations of animals contain it in large quantities.

From the foregoing we may conclude, that the manure

does not necessarily furnish a single element to the plant, that its true and legitimate object is to operate upon the soil itself, and that it may be said generally, that it has its operations under the same laws of chemical affinity which regulate all other combinations of matter.

We again say, it is the object of geological chemistry to point out the exact nature of soils, and the proper manures for each kind of soil, with the modifications necessary for the proposed crop. But geological agriculture goes even further than this. It proposes to discover and point out the manures themselves, to teach the best methods of their creation, by which bones and gristle, peat and swamp muck, lime in all its varieties, salt and ashes, substances entirely dissimilar, may be made subservient to the same great purpose, *the production of vegetable life.* If may be that its teachings will be adverse to cherished notions, and subversive of long established opinions, but it is a sufficient answer to the objection of innovation, that it teaches nothing but truth, and this is the antagonist of error alone; and that habits and methods should cease when they are proved inefficient or erroneous, is admitted by all.

Your committee, therefore, believing that agriculture will be most profitable when it is best understood, and believing that a geological survey offers a vast amount of necessary knowledge upon its laws and processes, beg leave to urge upon the House the passage of the accompanying bill.

J. McM. SHAFTER, for committee.

REPORT OF THE QUARTER MASTER GENERAL.

QUARTER MASTER GENERAL'S OFFICE, }
Montpelier, Oct. 19, 1842. }

SIR:—You will receive, herewith, the annual return required of the Quarter Master General by an act passed Nov. 1st, 1837, showing the amount and condition of the military property of the State in his possession.

Owing to the small number of returns which have been made to me, and the imperfections of some of them, I am unable to report to you the amount and condition of the military property distributed to the several regiments in the State, or the proceedings had under the law of 1841, for the collection of fines and penalties.

An examination of the returns from eleven regiments, (being all I have received,) shows that the captains reported 837 for delinquency at the June trainings. Against 168 of these, judgments were rendered for fines and cost—against 164 for cost only—326 were discharged without cost, and 213 recovered cost. It also shows that the fines imposed amount to $373 88,—the cost to $488 30; that $5 50 was paid without suit, and to $393 72 where costs only were imposed. The costs recovered by delinquents against prosecutors, to $313 01, and the costs of prosecutors in unsuccessful suits to $1,223 24. The amount collected or paid in, to $855 06, and the amount uncollected to $355 18, leaving the balance against the State $1,158 87, exclusive of the loss on executions uncollected.

A committee having been appointed to revise the military laws, who, it is expected, will be soon ready to report, and considering the heavy expense to which the State is subjected in collecting fines under the present one, you will permit me to suggest the propriety of your recommending that the present law for collecting fines be repealed or suspended, before any prosecutions shall have been commenced for delin-

quency at the general trainings which have recently been held throughout the State.

I am, sir, very respectfully,
Your ob't servant,
DAVIS RICH, *Q'r Mas. Gen.*

HIS EXCELLENCY C. PAINE,
Governor and Commander in Chief.

RETURN OF THE MILITARY PROPERTY OF THE STATE IN THE CHARGE OF THE QUARTER MASTER GENERAL.

There were in the arsenal in Vergennes on the 1st October 1837,		5,296 muskets.
The arms distributed to the several towns under the act of 1812 have been collected—of these there have been repaired at Vergennes		405
And at Windsor		772
Whole number belonging to the State		6,473
There have been distributed to the militia in 23 regiments, under the act of 1837,	2,000	
300 muskets were sent to the northern frontier in 1839 and placed in the hands of Gen. Nason. Of these there are yet in his hands	130	
Loaned to Capt. Partridge, under the act of 1835,	100	
Remaining at Windsor	72	—2,302
Leaving now at the arsenal, which are in good order,		4,171
There were also at the arsenal the 1st Oct. 1837,		65 rifles.
Received of the U. S. since, under the acts of 1837 and '38, to wit:		
In 1839,	682	
1840,	207	
1841,	629	
1842,	230	—1,748
Whole number of rifles,		1,813

Of these there have been distributed to the rifle companies in 21 regiments,	1,539
Leaving now on hand and in good order	274

Besides the muskets and rifles, there are now at the arsenal in Vergennes six 6 pounder iron cannon, 61 powder horns, 61 cartridge boxes.

DAVIS RICH, *Q'r Mas. Gen.*

His Exc'y C. PAINE,
Gov. and Com. in Chief.

Quarter Master General's Office,
Montpelier, Oct. 19th, 1842.

REPORT OF THE COMMITTEE ON EDUCATION, APPOINTED BY THE GOVERNOR.

THE Committee appointed by His Excellency the Governor, in conformity with a Resolution adopted by the Legislature on the 3d of Nov., 1841, "to report such plan or plans as may be most expedient and judicious to carry into practical effect the views and suggestions contained in the Report of the Committee on Education,"—beg leave to submit to the Legislature the following:—

The Report to which your committee are referred by the resolution under which they act, begins with a reference to the Executive Message, showing a very happy agreement between the Executive and the Legislature, in regard to the general principles and objects that ought to be kept in view in all public acts touching the vital interests of education; and on comparing the two documents, it is gratifying to find those principles and objects so definitely fixed and so distinctly recognized. The appointment of your committee, and the assignment of its duties, intimates clearly enough that, in the opinion of the Legislature, the time for definitive action has arrived, when we ought to enter with all proper diligence upon a course of measures which shall result in the establishment of a complete system of education for the State.

The leading principles recognized in the Report, and by the Legislature in adopting it, are,—

That the education of the people is an interest second in importance to no other which the hand of government touches, and indeed paramount to them all.

That such a system of education, in all its branches and departments, ought to be encouraged by liberal legislation, as shall render the people of Vermont not inferior to any other in intellectual and moral culture:—and

That, to accomplish this, not only ought district schools to receive the anxious care of the Legislature, but academies and colleges should also receive the patronage of the State; and that all classes of schools and seminaries should be so

provided for and regulated as to unite them in one complete system, and give them the greatest possible efficiency for the elevation of the whole people.

Yet, although these principles are so distinctly recognized as the basis of all contemplated action, your committee have felt themselves somewhat embarrassed by doubts respecting the nature and extent of the plan or plans for carrying into practical effect the views of the Legislature,—that might be expected from them. The inquiry arose whether they should attempt to prepare an outline of a complete system of education for the State, embracing all the details of pecuniary aid, of regulation, supervision, and accountability for all classes of schools requisite to a complete system; or whether the end of our appointment would not be better attained, if, leaving that in a great measure untouched, we were merely to suggest some initiatory measures,—a plan for entering rightly upon such a course of improvement as shall promise ultimately to secure all that the Report contemplates. Several considerations have led your committee to adopt the latter course.

In the first place, the Report assumes as certain the early possession of ample funds for the immediate prosecution of any judicious plan which the Legislature, in its wisdom, might adopt. It was expected that the State, before this time, would have received something from the proceeds of the public lands, and that those lands would constitute a permanent source of revenue applicable to the purposes of education. This expectation evidently had a very great influence upon the course adopted by the Legislature last year. But thus far it has been disappointed; and the history of the past year does not encourage the belief that it would be wise or safe to make it the basis of future action in regard to so vital an interest. Nor have your committee been able to devise any plan for supplying the place of the funds alluded to, which they could rely upon as likely, at present, to command general assent, and thus constitute a safe element in the system which they might recommend.

Again, it was the expectation of the Legislature that, in the course of the year, the subject would attract such attention, and be so thoroughly discussed in the newspapers, as to prepare the public mind for definitive action. For this purpose the publication of the Report co-extensively with the

laws was ordered, and discussion invited. But your committee regret to say that the subject seems not to have awakened any general and deep interest; and that, instead of the general and earnest discussion in all quarters, which its paramount importance deserves, almost nothing has been said about it in the newspapers; and only by a single writer in one of them, we believe, has anything like a general view of it —much less a thorough discussion—been attempted. These facts—to whatever cause they may be attributed,—certainly do not indicate that, as a community, we are ready to adopt, definitively and in all its extent, a plan of State education such as the Legislature contemplated as an ultimate object.

Besides, were these objections to the immediate settlement and adoption of a complete State system of education removed, your committee acknowledge that, in the few months which have elapsed since their appointment, they have not been able to satisfy themselves in regard to all the questions involved in such a system. Even in regard to common schools, several questions of very great importance still remain matters of experiment and discussion in States that have devoted to the subject far more attention than ourselves. In regard to these, their experience does not yet furnish results on which we can confidently rely in all respects; while in regard to the proper relation of schools and seminaries of different grades to each other, and of the government to all, they give us still less aid in the way either of experience or plan.

On the whole, therefore, your committee have thought that they should best meet the wishes of the Legislature by declining the attempt to report a complete system of education for the State, and limiting themselves to the humbler task of suggesting such preparatory measures as are of immediate importance. Happily these preparatory measures are very clearly indicated by our own condition, and by the experience of our sister states.

In looking at our own condition we find that, while education is acknowledged to be the paramount interest of the State, and while the amount of funds expended in it is immense, there is hardly the shadow of supervision and accountability in regard to it. A third part of all the inhabitants of the State are connected, as teachers and pupils, with our schools, every year; and that too in the very budding time of life, when every thing that touches the intellect or the af-

fections exerts a mighty energy in fixing the permanent character of the individual, and thus of the community. If the moral influence of a school is bad—if the instruction is erroneous or defective—if the school-room and its arrangement are unpleasant and unhealthy—the effect is seen in the impaired physical energies, the undeveloped and unstored minds, and the depraved morals and manners of those who attend it. Thus the very life and energy—the enjoyment, the honor, the well-being of the whole community, is at stake. There is involved, too, an immense investment of capital and annual expenditure. We have several hundred thousand dollars invested in school houses; and the schools are kept up at an expense of many hundreds of thousands annually, besides. All this expenditure the Legislature creates, sanctions, and in some measure regulates. But, as remarked before, the whole is left without supervision or accountability. We do not know how the money is expended, or with what results. We have not even inquired what the results ought to be, or made any provision for learning what they are. As a State, we provide the funds, and leave them, and almost every thing else, in the irresponsible hands of the teachers and school committees of the different districts.

No other department of the public service is willingly left thus without supervision or control. Every where else it is our place to require accountability for the use of funds and the discharge of duties. Every where else we would take due measures to know how our legislation works, and to learn whether the results that might justly be expected, are secured by our expenditures. Why, your committee would ask, should this greatest of all interests—this greatest of all expenditures, be made an exception? Why should not the whole subject be submitted to a thorough annual examination and revision, by means of a system of accountability reaching every agent, every committee, and every teacher? Why should we not annually consult these agents, and gather up and diffuse thro' the community, by means of their reports, the results of their study and experience? Is there any better way to discover any defects, any want of efficiency, any errors and abuses in the system? Is there any class of men whose suggestions for its improvement would be more valuable? Had we found ourselves, as a State, in a similar condition of irresponsibility and ignorance in regard to any other great public interest,

should we not, first and without hesitation, order a thorough investigation of the facts? Is not this the course of the Legislature in regard to banks—in regard to the State's Prison, even? And shall an interest which involves an expense in comparison with which all other public expenditures are a trifle, and which reaches with a controlling and vital influence every fire-side and every heart, be an exception?

Thus our own condition seems to your committee to indicate plainly enough, that our first great duty in the premises is, to provide for a thorough inquiry into the facts.

In regard to the experience of other States, your committee will not trespass on the patience of the Legislature by details, or even by a general view of their educational movements, and the results. The present purpose will be answered by inviting attention to a few points.

Within the last ten years, efforts to improve the character and extend the usefulness of common schools have been made in nearly every State in the Union. In twelve, at least, of the States, the superintendence of this department has been placed in the hands of commissioners or boards, who superintend its concerns, and report annually to the Legislature. The measures adopted and the results will more distinctly appear, by selecting one or two examples.

Connecticut, it is well known, has far the largest common school fund in New England, amounting to more than $2,000,000. The influence of so large a fund is deemed to have been unhappy. For nearly half a century prior to 1838, the statute book had shown little evidence of attention to this immense interest, on the part of the Legislature; and, as a general fact, the districts and the people had been equally negligent of their trust. The system had no energy, and there was no improvement. As to supervision and accountability, it seems to have been very much in the condition of our own. Among the results was, the withdrawal from the common schools of the children and the care of very many of the most worthy and intelligent citizens, and the expenditure of immense sums for private tuition in common school studies,—a startling proof, when the eye was once fixed upon it, that the system, with all its rich endowments, was very far from answering its legitimate purposes.

In 1837 a resolution was introduced into the Legislature and carried, providing for returns from all the common schools

in the State. In consequence, and with the aid of individuals interested in the object, returns were obtained and brought before the Legislature, at its next session, of such amount and character as led that body, with great unanimity, "to provide for the better supervision of common schools," by bringing their condition at all times before parents and local school officers, in the register to be kept by the teacher, and annually before the school societies in the reports of school visiters, and before the Legislature and the State in the report of a board of commissioners organized to superintend the whole matter. The leading object was, to collect and disseminate information in regard to existing defects and desirable improvements, as the only basis of sound legislative, local, or individual action on the subject. The board of commissioners thus established were authorized to employ a secretary, through whose agency the requisite information might be obtained, and the work of improvement commenced and carried on. The services of a very intelligent and able secretary were secured, and the work has been prosecuted with great energy and success for four years. The report of 1842 gives a general view of the results. Among them we notice,

1. The obtaining, in an authentic form, of accurate information respecting the practical working of the common school system throughout the State,—showing its excellencies, its imperfections, and its capabilities, and constituting a safe basis on which to found measures for improvement. This information has been diffused among the people in various ways, so as to be made available for the benefit of every town and every school.

2. The obtaining and diffusing, in like manner, of a vast amount of similar information, respecting the schools, school systems, and progress of popular education, in other States and countries; information abounding in examples, suggestions, and excitements well adapted to give impulse and direction to the spirit of improvement.

3. The creating of a demand in the public mind for higher qualifications in teachers, which has led to the establishment of a professorship in one of the colleges, and to arrangements in many of the academies, for courses of instruction especially adapted to such as wish to become common school teachers. The course of improvement in this respect is evidently but just begun.

4. The improvement of school houses. "More than nine-tenths of all the district school houses, erected prior to 1838," says the Secretary, "and which have not been since renovated, are incomplete and forlorn specimens, at best, of what such structures should be. They stand in, or directly on, the public highway, and not unfrequently in bleak and unsheltered situations, without any play-ground or appropriate out-buildings. They are unattractive without; and small, inconvenient, and uncomfortable, within. They are imperfectly supplied with the means of ventilation and uniform temperature. They are so lighted that the eye-sight of the scholar is not unfrequently endangered by the glare of the sun, and his attention distracted by every passing object. The seats are invariably too high; and the general arrangement and construction of the seats and desks are not calculated to promote the health, comfort, and successful labor of the pupils, or convenient supervision by the teacher. But, bad as most of them were originally, they are rendered worse by want of proper care, and timely and necessary repairs. Almost every old school house which I have visited, is hacked and disfigured, and in not a few instances disgraced by improper, profane, or licentious images." "Especially in winter, the children of our district schools are obliged to breathe an impure, stagnant, and oppressive atmosphere, the effect of which can be seen at any time after the school has been in service an hour, and especially in the afternoon, in the pale and wearied countenances, the languor and uneasiness of body and mind, especially in the younger children; and in the exhaustion and irritability of the teacher. The evil consequences of neglect in this particular often extend beyond the school room. The seeds of disease, especially of consumption, if not sown in such an atmosphere, are rapidly quickened and developed in the lungs of such as are constitutionally exposed to pulmonary complaints. * * * * * In more than seven-eighths of the school rooms which I have visited, the children were allowed less than one-half the quantity of pure air which is deemed absolutely necessary for the health and the cheerful and successful labor of prisoners in the State Prison at Weathersfield, or the county jails at Hartford, New Haven, and Norwich." The observations of your committee warrant the belief, that this description is too applicable to most of the school houses of Vermont. And we submit this opinion to members of the

Legislature coming from every part of the State, with the more confidence, because an inquiry into facts, prosecuted for several successive years, has brought before the public similar results in Massachusetts.

These facts were ascertained and published. The many evil influences, direct and indirect, on the health, manners, morals, and intellectual advancement of the children, which grew out of the bad structure and condition of school houses, were pointed out. Improved plans were procured and made known. And the result is, that more than fifty new school houses have been erected, and a greater number of old ones entirely remodeled on correct principles and with the latest improvements. More has been done within the last four years, in this respect, than for twenty previous years. Examples are thus set, and an impulse given, which must rapidly pervade the State with their durable and inestimable benefits.

5. Improvements, by the union of districts and the classification of schools. In illustration of this topic, your committee invite attention to the change effected in a single instance. In Middletown, "in 1838, there were four school districts, with 885 persons over four and under sixteen years of age. Of this number, 276, (less than one third,) attended the common schools. The poor, and those who felt but little interest in the education of their children, sent to them. The school houses were old and very much out of repair. There was no uniformity of books, and the teachers were constantly changing. There was no money raised for their support beyond the avails of the public funds. There were eight or nine private schools, taught by well-qualified and well paid teachers, and including the children of those parents who cared most for education. The aggregate expense for tuition alone in these schools was three times as great as the whole expense of the common schools. In 1839, an entirely new system of public schools was adopted. Four primary schools for children under nine years of age, under female teachers, and one high school with two departments—one for boys and the other for girls—with a male and female principal, were established. The books, studies, discipline and management of the schools were entrusted to a committee of eight members. In 1842, instead of less than one-third of the children between the ages of four and sixteen, as was formerly the

case—more than three-fourths of them are connected with the public schools; and among them are the children of the best educated and wealthiest families. Three of the old school houses have been repaired and fitted up, and a new one built, for the primary schools; and a large, substantial building erected for the high school. This house stands in the centre of a spacious lot, affording large and separate playgrounds for the boys and girls. The regular school meetings are now numerously attended; and not a week goes by without a visit to the schools from parents or strangers. The course of study embraces a thorough English education and a preparatory classical one. Nearly all the private schools have been given up, and a saving effected in this way to the parents, of nearly $4,000 a year. The entire expense of the public schools is nearly $2,000 less than was expended in the private schools in 1838, and the average expense per scholar is less than it was at that time. The crowning glory of the whole is, that it is a practical illustration of what can be done to make common schools good enough for the richest and cheap enough for the poorest, and thus to make the advantages of a good education common to the rich and poor."

It may be objected that this example, being from a large village, is not applicable to our towns generally; but your committee apprehend that, in principle, it is entirely so; and would remark that, in one instance, at least, as will be seen more fully hereafter, a similar course has already been adopted, with the like admirable results, among ourselves.

6. A general spirit of improvement throughout the community; so that the attendance at school meetings is more numerous—teachers are more strictly examined—schools more often and more carefully inspected—a greater uniformity and excellency of school books secured—the services of good teachers in better demand, and longer retained in the same school—the superiority of female teachers for the younger children more generally appreciated—the number and expense of private schools diminished—and a far more general disposition excited among intelligent men, to make themselves acquainted with what is done in this and other countries to give a more thorough and adequate education to every human being.

All this has been accomplished, your committee would again remark, chiefly by collecting information and diffusing it among

the people, and leaving it to exert upon intelligent and patriotic citizens its natural influence. The law has been thoroughly revised, but only so far altered as to give free action to the impulse thus called forth, and furnish it the requisite facilities for accomplishing its ends. And it has been done at a trifling expense. The whole, including the secretary's salary, and the cost of numerous and invaluable publications that have been sent into every district in the State, with all the priceless results, have drawn from the public treasury less than $6,000—less than $1,500 a year—less than the people of Vermont have paid annually for killing foxes! If the people of the State, or any part of them, have expended more in the service, it has been voluntarily and gladly done—an expenditure that was regarded as a privilege at the time, and in looking back upon which they rejoice.

Similar, in regard to the previous state of the schools, have been the results of investigations in Massachusetts, which commenced one year earlier than in Connecticut. The secretary's second report, made in 1839, states, that "the common school system of Massachusetts had fallen into a state of general unsoundness and debility; that a great majority of the school houses were not only ill-adapted to encourage mental effort, but, in many cases, were absolutely perilous to the health and symmetrical growth of the children; that the schools were under a sleepy supervision; that many of the most intelligent and wealthy citizens had become estranged from their welfare," &c. And a more careful investigation in subsequent years led to the conclusion that half the benefit of common schools was lost, and of course half the expense of them wasted, merely from the single fact of unnecessary irregularity in the attendance of the children—that there was money enough expended in the State for instruction in common school studies to keep open free schools for all the children in the State, with as good instruction as they now have, eleven months in the year; while in fact, a large part of it being expended for private schools, the public schools were kept, on an average, but seven months and ten days—that there was an immense waste of funds in employing male teachers for the younger children, who, by proper arrangement and classification, might be put under the care of female teachers for the year, with far greater advantage to themselves—and that the efficiency of the schools for good might be

increased beyond previous conception by the general introduction of the best apparatus and books, and by improved methods of teaching and discipline.

The results of laying this information before the people have been, perhaps, still more important and full of promise than in Connecticut. Normal schools for the education of teachers have been established under the patronage of the State; a liberal appropriation has been made to encourage the establishment of district libraries; more school houses were erected in 1840 than during ten years previous to the present movement; better men serve on school committees; the schools are more strictly superintended; the attendance is more regular; the supposed necessity for private schools, which were supported because the public schools were so poor, is in many places done away, and the rich avail themselves of just that instruction for their children which is given to the poor, because it is the best that can be had; and the system is so arranged that every valuable suggestion made by any committee, no matter where situated—no matter how little known—goes to increase the common light. The annual school returns show the mature opinions of some hundreds of the best minds in the Commonwealth; men of high intelligence, of enlarged views, full of philanthropy and practical experience, earnestly engaged in devising means for the improvement of common schools. Their opinions, and the facts on which they are grounded, are embodied in reports which are read in open town meeting, accepted as expressing the opinions of the assembled citizens, and then sent up to the State board, to become part of the common stock of fact and suggestion, and made available for the benefit of every district, and thus of every individual, in the Commonwealth.

It would be arrogating quite too much to the intelligence and public spirit of the people of Vermont, to suppose our schools, which are certainly not under a *more* efficient system of supervision and accountability than those of Massachusetts and Connecticut were six years ago, to be in a condition essentially better; it will be assuming enough to go on the supposition that our system is in as good and healthful a state as theirs then was. But it is now clear, on the slightest examination of the documents, that an investigation in those States was imperiously demanded. Existing evils were found to be absolutely intolerable; while to have attempted the improve-

ment of the system without a thorough inquiry into its state, would have been to legislate in the dark. And who can glance at the results without acknowledging them to have been unexpectedly great and happy, and such as would a thousand times repay any community for three or four years of the most liberal expenditure and most laborious effort? Is it a trifling matter to be able to say, of the public schools of a whole town, as we find it said by a very intelligent committee in Massachusetts, "that they afford as good means of education as money can buy?" that the "poorest citizens may feel satisfied that, if they will send their children punctually and regularly to school, from the age of four or six years to sixteen, they will enjoy as good privileges as the rich can obtain at any price, and will be as thoroughly educated, whether on the point of manners and morals, or of studies, and orderly habits, and literary progress?"

Indeed, your committee might appeal, in confirmation of these views, to the example of one of our own villages.

"Brattleboro', East Village, is comprised within one school district. It contains about 1500 inhabitants, not far from 400 of whom are from four to eighteen years of age. The average attendance at our schools is about 300. We have five public schools, four taught by females, the other by a male teacher. They continue through the year, with the exception of vacations amounting to two months or more. Children are admitted into the primary schools, those taught by females, at the age of four years, and remain there till eleven years of age, or until qualified to enter the central school, that under the charge of a male teacher. The houses of the primary schools are located in different parts of the village, to accommodate the children in every section of the district. The building for the central school is near the centre of the village, so that the children at the extremes of the district are but little more than a mile distant from it.—The children in the primary schools are required to go through a prescribed course of studies preparatory to the central school. On arriving at eleven years of age, if they can pass a satisfactory examination, they are admitted into the central school; if they cannot then pass a satisfactory examination, they remain in the primary schools till they can. All, however, on arriving at fourteen years of age, are admitted into the central school, whether they can pass a satisfactory examination or not. In the central school besides the common branches, the higher branches of an English education are taught. The prudential committee, assisted by a special committee chosen for the purpose, are authorised by the district to recommend the books to be used in the schools, to point out the course of studies to be pursued, and to classify the scholars.

"Formerly we had four public schools, taught in summer by females, in winter by males, or partly by males and partly by females. We had also about the same number of private or select schools, some under the charge of male and some under the charge of female teachers, all of which are now discontinued. There was, under that system, or rather no-system, a constant change of teachers, and of course a frequent change

of books, of the course of studies, and of modes of instruction and discipline. The interest of parents was distracted, each naturally caring more for the school where his children were instructed; invidious distinctions were created, money was wasted, no good moral influences were exerted, and little was done even for the intellect. The evils of that no-system became so glaring, that the whole village rose, almost to a man, and resolved to have a reform.

"The advantages of our present system are found to be important. It is democratic. All our children are brought together. The children of the poor and of the rich stand side by side, and merit alone decides the rank of each. The expenses are paid by the property of the district, so that the children of the poor have equal advantages of education with those of the wealthy. The influence, the talents, and the pecuniary resources of the village, are concentrated on the system of popular education; and this affords one subject of common interest for all sects, all classes, and all parties, and does not a little to smooth down the asperities of feeling, and to harmonize diversities of conflicting interests. Employing our teachers for a longer period, they become attached to us; we take a greater personal interest in them; we begin to learn their social importance in society; to regard their station as the first in the community; and their influence next to that of parents, as having the greatest bearing on the character and destiny of the young. By having a course of studies pointed out for our children, so that they can advance regularly from branch to branch, they make much more rapid progress than formerly, obtain the same amount of knowledge in a much shorter period, and acquire a far better education in the same length of time. But perhaps the greatest benefit which is produced by our school system, is the moral influence it exerts. We already perceive a decided improvement in the manners and conduct of the pupils of all our schools, much of which we attribute to the introduction of singing as a part of the daily exercises.—The instructor of the central school has taken great pains to interest his pupils in ennobling and elevating pursuits. He has turned their attention to the study of geology, mineralogy, chemistry, to the cultivation and care of ornamental trees, &c., which occupies their thoughts while out of school, and inspires them with purer and higher desires and aims. By the strict order and method introduced into the schools, by the punctuality and promptness required, and by the propriety of conduct enforced, much has already been done by all our teachers, for the promotion of good manners and good morals. It is thought by good judges that the additional value which our present system of education has given to the property of the village, is more than enough to counterbalance the additional expenses incurred."

The experience of our sister States, therefore, and experience among ourselves, so far as we have it, lead to the same conclusion at which we arrived by a glance at our own general condition, viz: that a thorough inquiry into the state of education among us ought to be the first step, as constituting the only basis of appropriate legislation for its improvement. But your committee are also bound to remark that that experience seems to them too limited, the investigations incomplete, and the example to be followed with caution and thoughtfulness, as not without its dangers.

It will have been noticed, that the whole energy of investigation and effort in our sister States has been devoted to a single department of what should constitute a state system of education, viz: to common or primary schools. Higher schools have been touched only so far as they may have an immediate and palpable bearing on these in the way of furnishing teachers trained especially for the purpose. The common school system, as it is called—as if it could be a *system*, complete in itself and independent of any higher education—has been taken up apart—severed from its legitimate connection with higher seminaries; and an attempt is made to supply its wants without bringing the latter directly into the service as part of the same whole. In legislation it is a divorce between the higher education and the lower; a divorce which, your committee would say with deference but with strong conviction, cannot be justified on any grounds of sound reason or experience, and must be dangerous to the interests of education in all its branches, and to the well-being of the community. In this respect your committee cannot express too strongly their concurrence in the opinion of the Legislature, as embodied in the last year's report of the House, that it is the true policy and duty of a State to encourage and foster, by liberal legislation, "a wise system of education *in all its branches and departments*." It should be a system; it should be one; all its parts should be intimately connected with each other by the closest ties of reciprocal influence and benefit.

It may, indeed, be urged, and with *some* truth, that a vigorous prosecution of measures for the improvement of common schools, will naturally reach the higher seminaries. Such a result is, doubtless, to a certain extent, inevitable. In a New England community the true idea of a State system will manifest itself more or less, even when the government fails to recognize its existence. The idea possesses the public mind, and *must* act upon all educational movements. You cannot touch a part of the system without reaching, for good or for evil, the whole. But it by no means follows, that the government may therefore wisely or safely limit its supervision and patronage to a single department; for it belongs to the wisdom of the Legislature to recognize the idea and to realize it, and for that end to bestow its attention and its fostering care upon the system as a whole.

Nor, were the fostering care of government to be confin-

ed to some one part of the system, would it follow that common schools must be that part. What the system most needs is, the spirit of learning kept alive and vigorous in all its departments. This spirit is strongest, and most vital and diffusive, where there is the highest culture. The higher seminaries are the head and heart of an educational system; it is from them that the warm life-blood and the informing and moving power must go out. It is well argued in the report of last year, to which your committee have so often referred, that "without some standard of education higher than that of common schools, *their* standard cannot be raised;" and it might be added, that, without a more energetic spirit of learning than they embody, that spirit cannot be elevated or even kept alive in them at all. The facts that have been adduced from the Connecticut and Massachusetts reports show abundantly how necessary it is to keep the highest intellectual culture in close contact with common schools. Whenever the intercourse between the two has been much interrupted by the establishment of private schools, the common schools have lost their interest and their life, and have failed to furnish, even to those who attend them, half their wonted benefits. It is a characteristic of modern civilization, that, by means of the press and an educational *system*, the results of the mightiest intellectual energies, and all the lights of purity and honor that beam forth from the noblest and the best, become almost at once the property and are made to contribute to the well-being of the humblest citizen. It is the business of the Legislature, so far as in its legitimate sphere it touches the subject, to foster this blessed intercommunication. To make it perfect, the whole educational system must be cared for. It is only while the system remains entire and is duly cherished in all its parts alike, that the sap of life flows freely, and the developement is every where vigorous and beautiful. The arrangement ought studiously to be made such as to secure for common schools the greatest possible influence from the higher seminaries. This was well argued by the committee last year from facts noticeable among ourselves. It is seen every where, that when the higher seminaries sustain their proper relation to common schools, the influence is salutary in the highest degree. But when false and abnormous relations exist between the two,—when they no longer constitute parts of one system, the result is disastrous. "Schools, academies, and colleges," says the President of the American

Institute of Instruction, "should form distinct parts of the same system." "If the academies are brought into competition, as it were, with the schools, the influence of the academies has been found to be altogether bad; because they draw from the common schools the children of those whose influence is every thing to them." "If, on the other hand, academies are kept within their legitimate sphere—if they admit only those who have gone through a common school course,—then the effect of academies on the schools will be good. Such an academy in the neighborhood of a common school, will elevate the standard of education in that school." This would be the natural result of the mere juxtaposition of the two.—The spirit of the higher would pervade, more or less, the lower. How much stronger and more happy might the influence be made, by establishing fully between them the relations that they ought to sustain, as parts of a system!

While your committee are fully aware, therefore, of the immense work to be done for perfecting common schools in all their arrangements and details, they would keep no less distinctly in view the means of infusing into these arrangements and details a proper spirit. Doubtless activity and interest may be awakened and kept up for a time, by confining attention and effort to common schools themselves. But legislative action should be guided by a wise regard to permanent influences and results. And therefore it is, that while the examples of our sister States ought to fix our attention and may well serve to guide us in many respects, your committee have deemed it a duty, in referring to those examples, to show wherein they seem to be imperfect, if not dangerous guides.

As the first practical measure, therefore, to be adopted for carrying into effect the views of the Legislature, your committee would recommend the appointment of a Board of Education, charged with the consideration of the whole subject; with authority to employ a secretary; and with instructions, as a first duty, to investigate and report upon the state of education among us in all its departments, the amount of money, sources, and condition, of all funds devoted to it. And further, that, to facilitate the labors of this board, proper measures be taken to procure for their use, by legislative authority, adequate returns from teachers and school committees.

Which is respectfully submitted.

For the committee, E. C. TRACY, Chairman.

Montpelier, Oct. 22, 1842.

REPORTS ON THE STATE PRISON.

REPORT OF THE DIRECTORS.

To his Excellency, the Governor of Vermont:

In compliance with the act of the General Assembly, in relation to the State Prison, passed Nov. 10, 1841, the Directors submit the following report:—1st. An inventory of all the personal property at the Prison, shown them by the Superintendent, appraised at its true value in money, amounting in the aggregate (exclusive of demands) to the sum of

	$11,941 48
There appears due the State Prison on notes	1,968 14
do do accounts	6,580 93
	$20,490 55

Making the whole of the personal property at the Prison on the 1st day of Oct. 1842, including tools in the several shops, unmanufactured stock, finished work, provisions, clothing, furniture, &c., together with demands receivable, amount to the above sum of twenty thousand, four hundred, ninety dollars, and fifty-five cents, as fully particularized in the accompanying inventory and paper marked (A.)

The books kept at the Prison show outstanding claims against that institution to the amount of sixteen thousand, one hundred, ninety-six dollars, and four cents, viz:

Due on notes payable,	$8,154 65
accounts "	8,041 39
	$16,196 04

2d. The undersigned, upon a full examination of the Superintendent and his book-keeper, under oath, in relation to his accounts, together with the books of the Prison and the vouchers exhibited, find that said Superintendent should be, and was allowed for sundry disbursements on account of the Prison, from Dec. 1, 1841, the time he entered upon the du-

ties of his office, to the 1st day of Oct. 1842, the sum of three thousand, one hundred, sixteen dollars, and seventy-eight cents, viz:

Provisions, repairs, guard service, &c.,	$2,575 12	
Ten months' salary, at $650 per ann.,	541 66	$3,116 78
They also find that said Superintendent should be and was made chargeable with receipts from all sources during the same time, the sum of two thousand, six hundred, twenty-eight dollars, and sixty-three cents,		2,628 63
		$488 15

Leaving a balance in his favor to be carried to new account of four hundred eighty-eight dollars and fifteen cents.

The report of the committee to settle with the former Superintendent, for the year ending Oct. 1, 1841, shows a balance in his favor at that time of $1,101. Since which there have been credits for balance of salary to Dec. 1, 1841,

	$108 33
Sundry payments on acc. of Prison to Dec. 1, 1841,	159 15
By draft returned,	263 23
	$1,631 71
Upon the Prison books are charges against said former Superintendent since the settlement of Oct. 1, 1841, to the amount of one thousand six hundred seventy-three dollars, and six cents,	1,673 06
	$41 35

Presenting a balance in favor of the State Prison of forty-one dollars and thirty-five cents.

But as there was no appearance for that purpose by the former Superintendent, his accounts were not adjusted.

The papers accompanying this report, marked A. B. C. D., present, first, a condensed statement of the inventory; second, an aggregate of the personal property at the Prison, as appraised by the Directors, Dec. 1st, 1841, with the then existing claims against the Prison; third, the business operations of the several shops and departments of the Prison; fourth, an abstract of the profit and loss account of the whole, by which it appears that the expenses for the last ten months have exceeded the income one hundred forty dollars and fifty-two cents. This deficiency should not, however, in the

judgment of the undersigned, be taken as evidence of want of skill or faithfulness on the part of the Superintendent, in the management of the business concerns of the Prison, but is owing to causes beyond his control. It should be remarked, that the shoe-making business is managed by L. Damon, as joint partner with the State, and that the profit set to that shop estimated upon the basis of the ascertained profits the preceding year; and it may be proper further to say, that the concern alluded to by the Superintendent, in his report of Oct. 1, 1841, between the Prison and the old Engine Company, remains unadjusted.

All which is respectfully submitted.

HENRY F. JANES, } Directors.
STEPHEN PRENTISS, }

October 1, 1842.

(A.)

ABSTRACT OF INVENTORY, OCT. 1, 1842.

In Gun Shop,—Tools	$741 90	
Stock	268 04	
Finished work	358 25	$1,368 19
In Coopers Shop,—Tools	30 79	
Stock	123 84	154 63
Cloth and Clothing on hand		79 65
Materials for repairs "		27 75
Wood, candles and oil on hand		455 20
Tools in Tannery		34 43
Horse, cow, &c. to expense account		118 00
Provisions on hand		342 81
In Cabinet Shop,—Tools	15 12	
Stock	138 23	
Finished work	130 75	284 10
In Carriage Shop,—Tools	134 93	
Stock	1,211 46	
Finished work	1,904 34	3,250 73

In Shoe Shop,—Stock		3,840 61	
Estimated profits		589 99	4,430 60
Furniture, fire and steam engines, and sundry articles of personal property under head of property "In Prison"			1,395 39
Notes receivable		1,968 14	
Accounts do.		6,580 93	8,549 07
			$20,490 55
Notes payable	$8,154 65		
Accounts do.	8,041 39		
	$16,196 04		

(B.)

Personal property appraised at the Prison, Dec. 1, 1841, viz.:		
Stock, tools, furniture, provisions, &c.		$12,170 65
Notes and accounts receivable		7,541 46
Total		$19,712 11
Claims against the Prison, viz.;		
Notes	$8,307 22	
Accounts	6,968 35	$15,275 57
Balance		$4,436 54

(C.)

RECEIPTS AND EXPENDITURES AT PRISON FROM DEC. 1. 1841, TO OCT. 1, 1842.

GUN SHOP.

For stock and tools as per appraisal, Dec. 1, 1841	$1,238 17	
For stock and tools since purchased	273 68	
For fuel and use of machinery from Dec. 1 to May 1	131 63	
For labor of convicts	327 36	
For Alvin Colbee's services	52 00	
For R. S. Lawrence's do.	245 81	$2,268 65

By work sold		1,208 03	
By tools and machinery on hand Oct. 1, 1842		741 90	
By stock & unfinished work on hand do. do.		268 04	
By finished work on hand do. do.		358 25	2,576 22
Exceeding the expenditures			$307 57

COOPERS SHOP.

For stock and tools on hand as per appraisal Dec. 1, 1841		283 14	
For stock since purchased		40 80	
For labor of convicts		31 28	
For paid Aaron Damon for services		142 34	497 56
By tools on hand Oct. 1, 1842,	$30 79		
By stock on hand do.	123 84	154 63	
By work sold		390 81	545 44
Exceeding the expenditures			$47 88

TANNERY.

For tools in tannery Dec. 1, 1841			34 43
By rent charged for Tannery		$41 67	
By tools on hand Oct. 1, 1842		34 43	76 10
Excess			$41 67
Fees received from 942 visitors		117 75	
Deduct for uncurrent bill		1 00	116 75
Labor of convicts charged			4,686 24
Shoe Shop, State's share of stock and tools Dec. 1, 1841			3,207 29
Stock since added			633 32
Estimated profits since Dec. 1, 1841			589 99
Present value of property in shoe shop			$4,430 60

CABINET SHOP.

For stock and tools on hand as per appraisal Dec. 1, 1841		$366 41	
For labor of convicts and materials since purchased		215 62	
For John F. Chase's labor		142 06	$724 09

By sundries sold	353 12	
By unfinished work and lumber on hand Oct. 1, 1842	138 23	
By finished work on hand do. do.	130 75	
By tools on hand do. do.	15 12	637,22
Balance expended		$86 87

CARRIAGE SHOP.

For sundries on hand per appraisal Dec. 1, 1841	$4,108 88	
For labor of convicts, fuel and use of machinery	816 37	
For free labor	1,234 06	
For lumber, paints, iron, leather and trimmings since purchased	745 45	$6,904 76
By sundries sold and transferred to other accounts	3,422 81	
By tools on hand Oct. 1, 1842	134 93	
By stock and unfinished work on hand do. do.	1,211 46	
By finished work on hand do. do.	1,904 34	6,673 54
Balance expended		$231 22

DISCHARGED CONVICTS.

For clothing and cash delivered convicts on discharge		$356 38

PROVISIONS.

For pork, beef and other provisions per appraisal Dec. 1, 1841	$888 14	
For provisions since purchased	1,738 24	$2,626 39
By provisions transferred to other accounts	386 98	
By provisions on hand Oct. 1, 1842	342 81	729 79
Balance expended		$1,896 60

CLOTHING ACCOUNT.

For materials per appraisal, Dec. 1, 1841	$160 55	
For materials since purchased	178 74	$339 29
By sundries transferred to other acc'ts	57 65	
By materials on hand Oct. 1, 1842,	79 65	137 30
Balance expended		$201 99

REPAIRS.

For materials per appraisal, Dec. 1, 1841	$27 40	
For labor and materials since purchased	277 44	$304 84
By materials transferred to other acc'ts	24 84	
By materials on hand Oct 1, 1842	27 75	52 59
Balance expended		$252 25

FUEL AND LIGHTS.

For wood, oil and candles per appraisal Dec. 1, 1841	$288 76	
For sundries since purchased	606 02	$894 78
By sundries transferred to other acc'ts	62 21	
By sundries on hand Oct. 1, 1842	455 20	517 41
Balance expended		$377 37

EXPENSE ACCOUNT.

For horse, cow, hay, &c. on hand Dec. 1, 1841		$110 13	
For salary of superintendent	$541 66		
For salary of chaplain	333 33		
" " " keeper	284 44		
For pay of book-keeper	153 00		
For physicians bill	63 00		
For pay of shop keepers	356 85		
For pay of guards	428 35		
For pay of house maids	48 75	$2,209 38	
For hay, straw, postages, medicine, &c.		225,33	$2,544 84
By articles transferred to other accounts		59 24	
By horse, cow, hay, &c. on hand Oct. 1, 1842		118 00	177 24
Balance of expense			$2,367 60

PRISON.

For furniture, stoves, fire engine, muskets, steam engine, furniture, medicines, &c. per appraisal, December

1, 1841,	$1,420 13	
For blankets, meat barrels, medicine, &c. since purchased,	156 01	$1,576 14
By wagon, horse-blanket, &c. sold,	20 42	
By furniture, stoves, fire engine, and other personal property not included in other accounts, on hand Oct. 1, 1842,	1,395 38	1,415 80
Balance expended,		$160 34

(D.)

AGGREGATE LOSS AND PROFIT ACCOUNT.

By gun shop,	$307 57	For clothing,	$201 99
cooper shop,	47 88	repairs,	252 25
tannery,	41 67	fuel and lights,	377 37
fee account,	116 75	expense acc'ts,	2,367 60
labor account,	4,686 24	cabinet shop,	86 87
shoe shop estimated,	589 99	discharged convicts account,	356 38
Balance, being loss,	140 52	carriage shop,	231 22
		Prison account,	160 34
		provision,	1,896 60
	$5,930 62		$5,930 62

REPORT OF THE SUPERINTENDENT.

To his Excellency, Charles Paine, Governor of the State of Vermont:

The Superintendent of the State Prison has the honor to submit the following statement of the concerns of that institution.

By the inventory and appraisal of the Directors on the 1st of Dec. 1841, the personal property of the Prison was as follows, viz:

Stock and tools in gun shop,	$1,238 17
cooper shop,	283 14
carriage shop,	4,108 88
cabinet shop,	366 42
Tools and bark in tannery,	71 63
Provisions,	888 14
Clothing,	160 55
Share of property in shoe shop,	3,207 29
Sundry articles for repairs,	27 40
House and Prison furniture, &c.,	1,420 14
Fuel, oil and tallow,	288 76
Horse, cow, forage, &c.,	110 13
Notes receivable,	1,756 00
Book accounts,	5,785 46
Total,	$19,712 11

The liabilities of the Prison were,

On notes payable,	$8,307 22
On book accounts,	6,968 35
Total,	$15,275 57

On entering upon the discharge of the duties of my appointment, it appeared necessary to reduce the expenses for *free labor* in the establishment as far as practicable. I, therefore, by the advice of the Directors, and as soon as the contracts and engagements of my Hon. predecessor could be closed, dispensed with the services of Mr. Hutchinson, the former partner in the carriage shop, Mr. Chase, a partner in the cabinet shop, two journeymen carriage builders, two blacksmiths, one carriage trimmer, one painter, two men employed in the gun shop, and one cooper.

I also closed the partnership with Mr. Ballou, in the tannery, by leasing him that property at a rent of $50 per ann.

It appeared desirable, and the Directors recommended, to close all the partnerships at the Prison as soon as possible; accordingly, they were all closed, excepting that with Mr. Damon in the shoe business. The contract with Mr. Damon was made Nov. 28, 1840, and the business commenced on the 1st of January, 1841, for the term of three years, subject, however, to be closed by either party, on giving three months' notice. Mr. Damon was and still is willing to surrender his contract; but for want of available funds this partnership has been continued.

Since the first of May last the carriage business has been carried on principally by convict labor, in the completion of articles then in progress of manufacture, which has proved a profitable employment. From Dec. to May, while the business was prosecuted mostly by free labor, the result proved, as was anticipated, a heavy loss to the establishment.

By the report of the Board of Directors it will be seen, that the amount of property on hand Oct. 1, 1842, is as follows:

Tools and machinery in gun shop,	$741 90	
Stock and unfinished work in do.	268 04	
Finished work in do.	358 25	$1,368 19
Tools $30 79, and stock $123 84, in cooper shop,		154 63
Tools and machinery in carriage shop,	$134 93	
Stock and unfinished work in do.	1,211 46	
Finished work,	1,904 34	3,250 73
Tools in cabinet shop,	15 12	
Unfinished work and lumber,	138 23	
Finished work,	130 75	284 10
Tools in tannery,		34 43
Provisions,		342 81
Clothing,		79 65
Property in shoe shop, (being one half,)		4,430 60
Materials for repairs,		27 75
House and Prison furniture &c.		1,395 38
Fuel, oil, and tallow,		455 20
Horse, cow, forage, &c.		118 00
Notes receivable,	$1,968 14	
Book accounts,	6,580 93	8,549 07
Total,		$20,490 54

The claims against the Prison, Oct. 1, 1842, are $16,-196 04.

The expenditures and income for the ten months ending September 30, 1842, are as follows, viz:

For loss in carriage shop,	$231 22	
cabinet shop,	86 87	
provisions,	1,896 60	
clothing,	201 99	
cash and clothing delivered discharged convicts,	356 38	
repairs,	252 25	
house and prison furniture, &c.	160 34	
fuel and lights,	377 37	
expense account,	158 22	
pay account,	2,209 38	
Total of expenditures,		$5,930 62
INCOME.		
By profit of gun shop,	$307 57	
cooper shop,	47 88	
shoe shop,	589 99	
rent of tannery,	41 67	
admittance fees,	116 75	
labor of convicts,	4,686 24	
Total of income,		$5,790 10

Leaving a balance over the income of $140 52

Of the $252 25 for repairs, the sum of $178 18 was expended for the repair of the walls and erection of new guard walks of a permanent and durable character, and not properly chargeable in the current expenses of this year, and deducted from the amount would leave an excess over the expenditures of $37 66.

Of the $8,549 07 due the Prison on notes and accounts, a large amount, say one half, is not at present available, and about $2,000 00 will never be collected.

About the first of May last I dispensed with the services of two of the four men employed as guards. Subsequent events, to wit: the escape of some of the convicts, have convinced me that three men to do guard and other duties are indispensible to the safety of the establishment.

The zealous exertions of the Chaplain and kind treatment by the officers of the Prison, have undoubtedly done much to

increase the self-respect of the convicts, and many of them have resolved to become useful and respectable members of society.

The conduct of the convicts, with few exceptions, has been good, yielding cheerful obedience to the by-laws and regulations of the Prison, and performing a large amount of labor. Few punishments for disobedience have been inflicted during the past ten months. The punishment inflicted is solitary confinement and short allowance of food.

At present 58 of the convicts are employed in the shoe shops, 1 in curriers' shop, 2 in carriage shop, 2 in blacksmith shop, 1 in paint shop, 1 in gun shop, 1 washer, 2 cooks, 1 wood cutter, 1 prison waiter, 1 yard waiter, 1 tailor, 1 female, seamstress; total 73.

Since the first of May last the convicts have been employed as they are at present, and the result is such as satisfies me that hereafter the Prison will at least cease to be a charge upon the State Treasury.

The Physician has been attentive and successful in his department—annexed is his report.

I. W. HUBBARD, Superintendent.

Windsor, Oct. 1, 1842.

REPORT OF THE CHAPLAIN.

To his Excellency, Charles Paine, Governor of the State of Vermont:

SIR: The Chaplain of Vermont State Prison, in accordance with the duty devolving upon him, would present his annual report, of the moral department of said Prison.

It is with the deepest gratitude, to the Supreme Being, that your Chaplain is enabled at this time, to report, at least, ordinary prosperity, in the moral department of this Institution. Though we have not been favored with so great an out-pouring of the spirit the year past, as your Chaplain has witnessed in earlier periods of this institution; yet results as happy, prosperous, and encouraging, have been witnessed the year past, by your Chaplain, as at almost any other period for a succession of years.

Several convicts, who in years past professed piety, but have since wandered from the fold of Christ, have the year past professed to be returned to the Divine Saviour. Another convict has professed to experience renewing grace. Others are serious, and desirous to find redemption in the blood of the Lamb. There are some, and probably always will be, whom no kiud offices move, and whose hardened hearts cannot be reached by any influence which can be brought to bear upon them. But it is hoped that this number is comparatively few. A good proportion of the Prisoners profess to have become confirmed in virtuous resolutions, and particularly in relation to the subject of Temperance.—Your Chaplain has ascertained to his entire satisfaction, from free, and personal enquiries among the convicts for eight years past, that at least three fourths of those who have been committed to this Prison, during that time, have been led along to crime, through the influence of intoxicating liquors. Drunkenness has been in our State, as in other places, the prolific source of crime: which has led many persons, who were otherwise promising and enterprising, to infamy and the Prison.

But I am happy to report, that the convicts now in Prison, have evidently reformed in their views and purposes in relation to this subject. Your Chaplain has particularly press-

ed this subject home upon the attention of the convicts the year past, and all but three or four of them, have put their name to a strong Temperance pledge, promising to wholly abstain from all intoxicating liquors for the time to come.

Your Chaplain has been governed much by circumstances, in the prosecution of his labors among the convicts the year past; always endeavoring to meet their wants, with timely advice, reproofs, instruction and encouragement; and using every effort to impress their minds with a sense of their moral obligations to God and man.

For this end, he has made frequent visits at their cells—and occasionally at their work shops, and frequently conversing with them upon their moral interests. Always, however, endeavoring to avoid any unnecessary conversation—And your Chaplain has found, that frequent visits of this kind, have been attended with the most beneficial effects.

The public services of your Chaplain, have consisted in leading the devotions, each day in the week, and attending the services on the Sabbath. The morning hours of each Sabbath have been occupied in reading and Sabbath School, from half past nine o'clock until noon. At these schools, all the convicts are present, and most of them participate in them. The afternoons are occupied in preaching.

In relation to our reading school, your Chaplain would observe, that it is exceedingly prosperous and useful. When we consider how large a proportion of the convicts, who are here committed, are unable to read the bible with profit, we can but see the propriety of devoting a part of our time to this kind of instruction.

And I am confident that the services of your Chaplain could not be more profitly applied than in promoting so desirable an object. Numbers, who were almost entirely ignorant of letters when they first came under our instruction, can now read very well in the New Testament; and have been turned off to the Sabbath School, where they commit to memory portions of scripture, and recite them regularly. In our Sabbath School, or bible class, every thing is prosperous and encouraging. At this, all attend. It surely affords no ordinary pleasure, to see so many convicts, from the boy to the old man, so intensely engaged in the study of the holy Scriptures, and listening to the questions

asked, and the explanations which are given, upon the lessons they have committed to memory. A number of the convicts voluntarily commit to memory whole chapters in the Bible, and recite from one chapter to twelve, every Sabbath. Tho' but little time is afforded them for this purpose, on account of their daily labor, the number of whole chapters recited since the 26th of December last, are eight hundred and ninety-five, besides the regular lessons. A Bible and hymn book are placed in every cell; and the Sabbath school books and tracts are read with avidity, and serve both to amuse and instruct them.

The convicts seem highly gratified with personal interviews with their chaplain, at their cells and shops, and look up to him with confidence, as a friend to whom they may disclose the secrets of their hearts, and to whom they may apply for advice and instruction, under the painful circumstances in which they are placed.

Your chaplain can but hope and confidently believe, that the various means employed in the moral department of this Prison the year past, will be succeeded by the blessing of Heaven, and that many of those unfortunate persons will finally go out into the world again, better men than they were before, and deriving lessons of practical wisdom from past experience, will hereafter pursue that course of honesty and uprightness, which will secure to them the favor, both of God and man.

Your chaplain would observe, that the very best attention is always paid by the convicts to the private and public instruction afforded them, insomuch that it is a subject of remark by all our citizens who from time to time attend our services on the Sabbath.

In closing this report, your chaplain would observe, that every necessary help and facility have been afforded him by the government of this Prison, for the prosecution of his duties in the moral department.

All which is respectfully submitted.

RUFUS L. HARVEY, Chaplain.

Windsor, Oct. 8, 1842.

REPORT OF THE PHYSICIAN.

To Hon. I. W. Hubbard, Superintendent Vt. State Prison:

Since the last report of the medical officer of this establishment, there have been two deaths amongst the convicts. Peter Toole, an Irishman, became early in the year the subject of epileptic convulsions. He had, some time before they came on, shown an unusual appetite, after eating the most disgusting articles of food. Treatment seemed to avail but little, and he finally sunk, showing extensive disease of the membranous envelopes of the brain.

Keyes, an American, who seemed in tolerable good health when he entered prison, became the subject of inflammation of the bowels, of the form called peritereal, always a most dangerous disease. It eventually run into a chronic stage, and destroyed him.

No other very severe cases of sickness have occurred; the convicts have not enjoyed so perfect health as in the preceding years. Of those that belong to the invalid class, I need only mention the case of Bowen—he was mentioned in my report of last year. His case remains much the same. He has been able to labor a good deal of the time, but is far from being an able bodied person. I think his health would be much improved by a change of position in regard to the rules of the prison.

I would again call your attention to the hospital arrangements. Very great inconvenience, and I doubt not some injury to the patients, has occurred from the want of a hospital. One might be erected within the new prison house, which would contain four or six beds, and accommodate all parties concerned sufficiently well. In case of fever prevailing amongst the prisoners, it would be absolutely necessary, either to place them in the area of the prison, or else allow them to run the great risk of remaining in a cell of very small dimensions, and without any possibility of giving the change of air required in fever.

All which is respectfully submitted by

Your ob't servant,

EDWARD E. PHELPS,

Physician to V. S. Prison.

Windsor, Vt., Oct. 7, 1842.

BY-LAWS AND REGULATIONS FOR THE VERMONT STATE PRISON.

The keeper shall have charge of the house, furniture and provisions, and in the absence of the Superintendent, the care of the whole establishment. On the reception of convicts it shall be his duty to see that they are thoroughly cleansed and dressed in the uniform of the prison,—shall enter or cause to be entered on the record kept for that purpose, the name, crime and description of each, the place from whence they came, when sentenced and length of sentence of each, and enter in a book kept for that purpose the articles worn or brought to the prison by each, with the value of the same, and in case of short sentence, will preserve the same for redelivery on their discharge, and will also enter on the record, when and how each convict is discharged.

It shall be the duty of the keeper to see that the convicts are each supplied with wholsome food, comfortable clothing, bedding and furniture necessary in the cells, and that the same is kept clean and in good order, and see that the proper kinds and quantity of provisions are delivered to the cooks each day, and that the same is properly prepared and impartially distributed to the convicts.

It shall be the duty of the keeper to commit to the solitary cell, all such convicts as may be guilty of any breach of the by-laws and regulations of the prison, immediately report the same to the Superintendent, and inflict such punishment as he may direct—will see that invalid convicts do not suffer for want of medical aid, nursing and such comforts as their situation will admit deal out; such medicine as the physician may direct, or he may deem proper,—see that the convicts are let out of their cells at proper times for labour, and that they are returned to their cells at night, and *all locked up*. He shall cause a bell to be rung at the prison at a proper time for letting out the cooks in the morning and at the expiration of the time allowed for breakfast and dinner.

The keeper shall cause an examination of the work shops at nine o'clock P. M. and see that they are safe from fire.

The keeper shall cause that portion of the by-laws which relates to convicts to be read to them once in each month.

It is particularly enjoined upon the keeper to report to the Superintendent every violation of the by-laws and regulations by any shop-keeper, guard, or other person employed about the prison.

SHOP-KEEPERS.

It shall be the duty of the shop-keepers to let out and lock up the convicts at such times as the keeper shall direct, and accompany the convicts to and from their respective shops, and during the hours of labour shall see that they are diligent at their employment, and allow no conversation with or between the convicts, except such as may be necessary for the prosecution of their work, nor any conduct contrary to the by-laws and regulations of the prison, and report to the keeper in writing all cases of misconduct of any convict, and aid, as far as in their power, in preserving the discipline of the institution.

Immediately previous to the convicts leaving the work-shops for the night, the shop-keepers shall be satisfied by searching or otherwise that nothing improper is carried to the cells.

The shop-keepers shall precede the convicts at the first end of their respective divisions on their entering their cells, and at night shall see each convict's face at the time of closing and locking the door of the cell, and on his return from locking, shall see one hand of each convict in his division in the grating of the cell door, count the convicts he has locked up, and immediately report the number to the keeper.

On Sabbath morning one of the shop-keepers shall attend to furnishing the cells with water before breakfast, and attend at the unlocking and locking the cells for the convicts to receive their rations and empty their buckets, and also during the religious and other exercises for instruction.

DUTY OF GUARDS.

Each morning before the convicts are let out of the cells, one of the guard will repair to his station on the wall with two loaded muskets, and there remain until he is relieved by another guard, or until the convicts are returned to their cells and locked up.

No guard will, while on the wall, discharge any fire-arms except in enforcing the discipline of the prison, nor admit any person upon the walls, in the guard boxes, or on the

guard walks, while he is on duty, excepting the officers of the Prison, or by special permission of the Superintendent.

One Guard at least must at all times remain in the prison while the convicts are in the cells, and immediately after the cells are locked at night, will examine the cells and report to the keeper the number that he finds locked. One guard will be in the cook room while the convicts are employed at that place on the Sabbath, and one guard will at all times be in the Guard room, except when some officer of the prison shall consent to remain during his absence.

The guards shall temporarily relieve the shop-keepers when it may be necessary, not exceeding twenty minutes at one time, and at all times when not engaged in any of the above mentioned duties, will perform such services as may be required of them by the keeper, and report to the keeper all violations of the by-laws and regulations that may come to their knowledge.

GENERAL RULES.

No person shall be allowed to visit any convict without permission of the superintendent or keeper, and no conversation to be had with any convict except in the presence and hearing of the keeper, or some other officer of the prison.

No officer or person engaged about the prison shall have any conversation whatever with any convict, either directly or indirectly, other than to give necessary orders and directions, nor introduce any book or printed sheet into the prison without permission of the superintendent.

No person employed in or about the prison will be permitted to employ any convict, or do any mechanical or other work at the prison for himself, or any other person on his own account, nor will any person be allowed to pass into or remain in the prison, yard, or shops, after the convicts are shut up for the night, excepting the officers in the discharge of their duties.

No convict shall be taken out of his cell or suffered to remain out after the locking up at night, without permission from the superintendent.

The wood-yard and barn-yard gates must be closed at sun setting; the front gate and outside gate at the guard room mustbe closed at nine o'clock, P. M.

No officer or other person employed about the prison shall give or suffer to be given any present, or grant any indulgence whatever to any convict, but shall, without partiality, see that the by-laws and regulations are strictly observed.

RELATIVE TO CONVICTS.

On the ringing of the first bell in the morning, each convict will hang up his bedding in his cell, wash his hands and face and prepare his dishes and bucket and have them ready to come out when his cell is unlocked. After his cell is unlocked he will open and stand in the door, with his bucket in his right and dishes in his left hand, until the officer who unlocked his cell has repassed, when he will come out and stand opposite his cell door, facing the walls of the prison, until the order is given for him to repair to the work shop; as he passes the cook room he will leave his dishes and will deposite his bucket at the place assigned and proceed to the shop.

The convicts will pass from the prison to the shops and from the shops to the prison in single file, and in no instance will two or more convicts be permitted to walk abreast in any part of the prison yard, except when the labor they may be performing shall require it.

Each convict will, whenever the cells are to be locked, as he enters his cell, immediately turn his cell door so that it shall be at about six inches of being closed, and he shall stand in a position that the officer who locks his cell may see his face, and with one hand on the grates of the door, as the officer approaches the cell for the purpose of locking the convict, will shut the door and remain with his hand on the grates until the officer has repassed the cell.

All convicts, except such as are confined by sickness or in the solitary cells, are to be constantly employed during the hours of labor under the care of the shop keepers, at such work as the superintendent may direct.

No mechanical business shall be carried on in the cells of the prison, and no conversation will be permitted between the convicts while at work, except so far as may be absolutely necessary for instruction in the work at which they may be at the time performing, and by consent of the shop keeper who has the care of the shop in which they may be employed.

No conversation will be allowed in the yard or while passing to and from the shops, and no reading aloud, talking, or other noise will be allowed in the cells, nor will any two convicts be allowed to be in one cell.

Each convict shall, on the Sabbath, attend on such religious and other instruction as the chaplain shall give, and at evening services on week days, shall remain standing in front of the gallery and facing the chaplain, and at all times treat the chaplain with the respect due that officer.

No convict except the cooks, prison waiters and wood cutters, while employed about their work in the yard, shall be permitted to pass from one shop to another, or from one part of the yard to another, except directly to and from the vault, nor to appear in the yard with any instrument or substance in his hand, unless permitted so to do and accompanied by some officer of the prison, and no convict will at any time leave his work without leave of the shop keeper.

No letters will pass from or be received by any convict until the same has been inspected by the superintendent, nor will any convict be allowed to receive any present or thing from any person employed about the prison, or any person visiting the same, without the permission of the superintendent.

Any convict who shall wilfully or negligently injure any part of his clothing or bedding, or shall deprive another convict of his clothing or his ration, or any part of it, or shall write on or deface the walls of, or unnecessarily dirty the cells, or disturb the ventilations, or destroy or injure any tools, stock, or work with which he may be employed, use any profane, insolent or improper language, or shall strike or forcibly resist, or refuse to obey the orders of any officer of the prison, or shall attempt to escape from or conspire with others to escape from the prison, or violate any of the foregoing by-laws and regulations, will be punished by solitary confinement or otherwise, according to the aggravation of the offence.

The female convicts shall be kept locked in the old prison, on no account to be let out nor visited, except the keeper be present, who shall always retain possession of the keys.

The foregoing by-laws and regulations will be administered with strict impartiality ; while cheerful obedience and good

conduct will be rewarded, every disobedience or want of faithfulness will be severely punished.

The foregoing by laws are adopted for the government of the Vermont State Prison.

Windsor, January 6, 1842.

I. W. HUBBARD, Sup't Vt. State Prison.

A true copy,

Attest, I. W. HUBBARD, Sup't Vt. State Prison.

LIST OF CONVICTS DISCHARGED FROM THE STATE PRISON AT WINDSOR, FOR TEN MONTHS, ENDING SEPT. 30, 1842.

Names.	Age	Height.	Complex.	When convict'd.	Where convicted.	Crime.	Sentence.	When disch'd.	How discharged.	Remarks.
Brownal, Oliver	37	5ft 6in.	dark,	Sept. 20, 1838	Franklin county	counterfeiting,	4 years,	Sept. 20, 1842	expir'n sentence.	
Bragg, Miles	26	5 8	light,	Sept. 21, 1839	Rutland	burglary,	3	Sept. 21, 1842	" "	
Beals, William	21	5 7 3-4	"	June 12, 1840	Bennington	"	2	June 13, 1842	" "	
Chesley, Lyman	19	5 1	dark,	Jan'y 2, 1839	Orleans	horse theft,	3	Jan'y 21, 1842	" "	detained by sickness.
Day, John	21	5 5	light,	Dec. 10, 1839	Bennington	theft,	2	Dec. 10, 1841	" "	
Farrelle, Edward	28	5 5	"	Dec. 25, 1838	Addison	"	3	Dec. 25, 1841	" "	
Freeman, Merritt	27	5 6	negro,	Sept. 24, 1841	Rutland	larceny,	1	Sept. 26, 1842	" "	
Fassett, Archibald	37	6 2	light,	Feb'y 3, 1842	"	burglary,	5	Sept. 2, 1842	escape.	
George, Marcelle	22	5 9 1-2	dark,	Jan'y 30, 1838	"	horse theft,	4	Jan'y 30, 1842	expir'n sentence.	
Greeley, James M.	27	5 8 1-2	"	June 12, 1839	Windsor	" "	3	June 12, 1842	" "	
Hinds, Rollin	26	5 9	"	Dec. 12, 1838	Bennington	stealing,	3	Dec. 12, 1841	" "	
Hardwick, Thomas	29	4 10 3-4	"	April 20, 1839	Franklin	horse theft,	3	April 20, 1842	" "	
Hill, John, 3d, [cis	39	5 11	"	June 19, 1840	Addison	rape,	6	Sept. 28, 1842	escape.	
Hill, David, alias Fran-	61	5 3 3-4	light,	Dec. 8, 1840	Bennington	larceny,	1	Dec. 8, 1841	expir'n sentence,	second sentence.
Hall, John	56	5 7 3-4	"	Dec. 10, 1840	Windsor	theft, [goods,	5	Dec. 7, 1841	escape.	
Hibbard, Charles	19	5 9 1-2	"	Dec. 18, 1841	"	receiving stolen	5	Sept. 28, 1842	"	
Johnson, George	22	5 8 3-4	dark,	April 20, 1841	Windham	stealing,	1	April 20, 1842	expir'n sentence.	
Keyes, Walter,	21	5 11	light,	Oct. 6, 1840	Rutland U.S. C.	stealing letters,	2	July 1, 1842	death.	
Ledieu, John [Joseph	21	5 5 1-2	"	Jan'y 10, 1839	Franklin	burglary,	3	Jan'y 10, 1842	expir'n sentence.	
Lavere alias Tromble,	35	5 6 3-4	dark,	April 27, 1841	Rutland	larceny,	1	April 27, 1842	" "	second sentence.
Mayo, Peter	26	5 3 3-4	light,	Dec. 19, 1840	Addison	stealing,	1 1-2	June 19, 1842	" "	
Miller, Aaron	20	5 1 1-2	"	Feb'y 9, 1841	Rutland	larceny,	1	Feb'y 9, 1842	" "	
Pixley, Alexander	45	5 11 1-2	dark,	Nov. 28, 1840	Washington	theft,	1 1-2	May 28, 1842	" "	
Robinson, Lyman	29	4 11 1-2	light,	Dec. 14, 1839	Windsor	attempt to rape,	2	Dec. 14, 1841	" "	
Robertson, Melona				Sept. 24, 1841	Windham	adultery,	1	Sept. 27, 1842	" "	female.
Roch, Joseph	25	5 1 3-4	dark,	Dec. 19, 1840	Addison	theft,	1 1-2	June 19, 1842	" "	second sentence.
Smith, Elias	20	5 10 1-4	"	April 20, 1839	Franklin	"	3	April 20, 1842	" "	
Smith, Charles	29	5 9	light,	April 20, 1841	Washington	"	1	April 20, 1842	" "	
Taylor, Julia Ann	20		negro,	Jan'y 5, 1841	Chittenden	"	1	Jan'y 5, 1842	" "	female.
Toole, Peter	31	5 7	light,	April 1, 1841	"	"	2	Mar. 20, 1842	death.	
Walker, Wyman S.	38	5 9	dark,	Feb'y 14, 1839	Bennington	burglary,	3	Feb. 14, 1842	expir'n sentence.	
Wyman, Gilman	21	5 8 1-4	light,	June 12, 1840	"	larceny,	2	June 13, 1842	" "	

Discharged as above, 32. Remaining in Prison, Oct. 1, 1842, 73. Total, 105.

Received since Dec. 1, 1841, 23. In Prison, Dec. 1, 1841, 82. Total, 105.

REPORT OF THE AUDITOR IN THE TREASURY DEPARTMENT.

To his Excellency, the Governor of the State of Vermont:

The undersigned, Auditor in the Treasury, having attended to the duties assigned him by law, submits the following report of the operations of the Treasury Department, from the 14th day of October last, the day on which the present Treasurer came into that office, up to the 30th day of Sept. 1842:—

The State of Vermont in account with JOHN SPALDING, ESQUIRE, *Treasurer:*

DEBTOR.

To cash paid debenture of the General Assembly,		$15,719	95
debenture of Council of Censors,		895	20
Governor Jenison, balance of last year's salary,		150	00
Governor Paine, three fourths of present year's salary,		562	50
Judges of Supreme Court their salaries for present and part of past year,	8029 88		
deduct fees by them receiv'd in civil suits,	3130 38		
		4,899	50
Supreme and County Court orders,		26,109	07
Auditor's orders,		9,825	71
A. Sabin, Secretary of State, half year's salary,		137	50
F. F. Merrill, Clerk of the House, one half of last year and one half of this year's salary,		275	00
A. L. Brown, Assistant Clerk, half year's salary,		62	50
D. W. C. Clarke, Secretary of the Senate, half year's salary,		125	00
E. A. Stansbury, Ass't Secretary of Senate, one half of last year and one half of this year's salary,		125	00
Geo. B. Manser, Secretary of Civil and Military Affairs, one half of last year's salary,		100	00
H. Hale, Secretary of Civil and Military Affairs, one year's salary in part,		150	00
Oel Billings, Engrossing Clerk, one half of last year and one half of this year's salary,		150	00
A. W. Kinney, Librarian, his salary for present year and one half of last year,		112	50
Wm. Weston, Reporter of Decisions of Supreme Court, three quarters of a year's salary,		337	50
D. Pierce, Auditor of Accounts, one year's salary,		150	00
E. S. Camp, Sargeant-at-Arms, salary,		75	00
F. W. Hopkins, Adjutant and Inspector General, one year's salary,		250	00
John Spalding, Treasurer, and Commissioner of School Fund,		500	00

To cash paid Commissioners of deaf, dumb and blind,			2,907 98
drafts of Adjutant General, and Commd't of Reg., expense of drills, &c.			907 15
special appropriations by acts of legislature,			3,262 44
fox certificates,			1,220 25
bear do.			203 00
wolf do.			60 00
crow do.			3 20
cocoon and silk premiums,			1,891 17
town of Woodford, interest on surp. money,		56 57	
do. Concord,	do.	147 67	
do. Canaan,	do.	53 42	
do. Williston,	do.	230 31	
do. Lemington,	do.	52 42	
do. Vergennes,	do.	143 09	
do. St George,	do.	19 33	
do. Marlboro',	do.	174 46	
			877 27
A. Willard, on loan to state of $5,000,		2,000 00	
do. interest on said loan,		300 00	
			2,300 00
Bank of Burlington, on loan to the state of $5,000,		3,000 00	
do. interest on said loan,		288 25	
			3,288 25
Bank of Montpelier, on loan,		320 00	
do. interest on said loan,		70 94	
			390 94
Int. on advances, to B'k of Burlington, bal. due last year,		6 88	
do. Bank of Rutland,	do.	6 35	
do. B'k of Bellows Falls,	do.	6 00	
do. Bank of Brattleboro'	do.	8 99	
do. Bank of Caledonia,	do.	77	
			28 99
do. Bank of Caledonia, bal. due this year,			2 08
J. R. Langdon, interest on loan to the state,			300 00
Bank of St. Albans, interest on account of safety fund,			17 57
cash loaned on account of safety fund,			1,800 00
cash paid sundry towns on new distribution of surplus revenue,			34,239 07
Balance in the Treasury,			9,368 50
			$123,779 79

CREDIT.

By balance in the Treasury on the 14th Oct., 1841,			2,007 99
By cash received for taxes, principal,	55,377 60		
interest on arrearage of taxes,	1,077 09		56,454 69
received on liquidated claim against town of Montpelier,	50 00		
interest on said claim,	16 50		66 50

By cash interest on R. & M. Beach's note to State Treasurer,			26 68
received of D. Pierce, agent,			100 00
received of the several State's Attorneys,			5,711 83
of Clerks of Supreme and County courts,			431 94
principal paid on school fund notes,	10,202 07		
interest paid on the same,	3,415 00	—13,617 07	
for pedlers' licenses,			1,252 06
received from Banks, dividends for school fund,—Bank of St. Albans,	230 00		
Farmers' Bank,	541 37		
Bank of Orange County,	240 00		
Bank of Woodstock,	600 00		
Bank of Middlebury,	506 25		
Manchester Bank,	233 33		
Bank of Brattleboro,'	636 33		
Bank of Burlington,	366 40		
Bank of Bellows Falls,	400 00		
Farmers and Mechanics' Bank,	381 50		
Bank of Rutland,	240 00	—4,339 18	
received on claims of Vermont State Bank,	814 97		
interest received on same,	113 65	—928 62	
safety fund contributions from sundry Banks,			4,583 24
By Cash received of sundry towns, on new distribution of Surplus Revenue,			34,259 99
			$123,779 79

Which is respectfully submitted,

JOSEPH BERRY, *Auditor.*

Montpelier, September 30, 1842.

REPORT OF THE AUDITOR IN THE TREASURY ON THE SCHOOL FUND.

To his Excellency, the Governor of the State of Vermont:

The undersigned, Auditor in the Treasury, in pursuance of the requirements of the law, having examined the accounts of the Commissioner of the School Fund, during the fiscal year ending the 30th day of September, 1842, makes the following report of the "state of the fund and of all matters relating to it:"

Said fund, on the day last mentioned, amounted to the sum of		$184,942 22
Of which the sum of . . .	$151,417 08	
was lying on loan to the State, and . .	30,509 91	
principal, and the interest thereon amounting to	3,015 23	184,942 22

was lying on loan to individuals, secured by notes of hand.

Since my report on the same subject, of the 28th of October, 1842, made in pursuance of resolutions of the House of Representatives of the 20th and 21st of the same month, by which it appears that the sum due from the State to said fund on the 30th Sept. 1841, was	$119,637 19	
there has been received from all sources, since the period last mentioned, viz:		
From pedlars' licenses, ...	1,454 56	
bank dividends, ...	7,855 09	
collections on account of the Vt. State Bank,	814 97	
of interest from the same source,	113 65	
on principal of notes of individuals, . . .	10,202 07	
of interest on said notes,	3,523 21	
for interest charged State on above loans, . .	7,816 34	151,417 08

All which is respectfully submitted,

JOSEPH BERRY, *Auditor.*

Montpelier, Sept. 30, 1842.

REPORT OF THE TREASURER UPON THE STATE OF THE SAFETY FUND.

TREASURER'S OFFICE,
MONTPELIER, Oct. 22d, 1842.

SIR,—I herewith transmit a statement showing the amount and condition of the Safety Fund, on the 30th September, A. D. 1842.

I have the honor to be, sir,
very respectfully, your obd't serv't.
JOHN SPALDING, *Treas.*

TO HIS EXCELLENCY THE GOVERNOR.

There has been contributed from the several Safety Fund Banks to the Safety Fund the sum of . . .		$26,730 07
There is loaned to the state of Vermont from this Fund, . . .	$21,860 64	
To various individuals the sum of . .	4,869 43	
	$26,730 07	

The contributions have been from the following banks, viz.:

Bank of Bellows Falls, . .	$2,250	
Middlebury, . .	2,700	
Essex County, . .	825	
Woodstock, . .	2,250	
Orleans, . . .	1,350	
Newbury, . .	2,250	
Manchester, . .	3,150	
Farmers' Bank, . . .	2,700	
Farmers' and Mechanics' Bank,	4,725	
Bank of Brattleboro' . .	2,700	
St. Albans, . .	667 81	
Vergennes, . . .	450	
Rutland, . . .	604 26	
Poultney, . . .	108	
		$26,730 07

I notice in the Report of the Treasurer, on the 13th of Oct. 1841, he reports in the Safety Fund that the interest is included. By law, the interest is due yearly to the banks contributing the fund, and should be paid to them, after deducting the expenses of the Bank Commissioner.

The interest which has accrued to the Safety Fund Banks, computed

to the first day of October, 1842, amounts to .			$8,199 38
The charges against this interest on the 1st October amounted to	$1,264 00		
The interest on those charges, . .	450 30	—1,714 30	
			$6,485 08
On the 30th Sept. 1841, there was paid to the Bank of Orleans as interest, . .	$250 00		
Interest on same to Oct. 1, 1842, . .	15 00		
Oct. 25th, 1841, there was paid to the Bank of St. Albans as interest, . . .	17 57		
Interest on same to Oct. 1, 1842, . .	1 03	—283 60	
Leaving a balance of interest unpaid on the 1st day of Oct. 1842,			$6,201 48

JOHN SPALDING, *Treasurer.*

October 22d, 1842.

AUDITOR'S ABSTRACT.

An abstract of all orders drawn on the Treasurer of the State of Vermont, since the 5th day of October, 1841, to the 30th day of September, 1842, by the Auditor of Accounts.

DATE.	NO	CLAIMANTS.	AMOUNT.
Oct. 14, 1841	1	Gates Perry jr., sh'ff, for distributing packages,	$24 56
	2	John Colby, Com. deaf, dumb and blind, for paid cash &c. in that office, . . .	80 69
	3	Martin Armstrong, sh'ff, for distributing packages, ...	18 00
15,	4	P. S. Camp, jailor, for boarding State prisoners,	6 44
	5	Town of Panton, for error in State tax, .	6 30
	6	George A. Allen, sh'ff, for distributing packages,	20 00
	7	Merrill Williams, sh'ff, for like services, .	24 00
	8	Sundry persons, for services at court martial,	52 50
	9	Gary Whitney, sh'ff, for distributing packages,	12 00
	10	Henry Stowell, Com. deaf, dumb and blind, for services in that office, . . .	16 19
16,	11	D. R. Bogue, sh'ff, for boarding State prisoners,	133 58
18,	12	Robert Pierpoint, Bank Com'r, for services in that office, ...	48 00
	13	Same, for settling Sup. State Prison accounts,	13 86
	14	Town of West Fairlee, for error in State tax,	13 48
19,	15	Adnah Smith, sh'ff, for distributing packages,	20 00
	16	D. R. Bogue, sh'ff, for the like services, .	5 00
20,	17	Gary Whitney, sh'ff, for boarding State prisoners,	2 00
21,	18	Riverius Camp, late sh'ff, for distributing packages,	5 00
	19	S. H. Jenison, late Governor, for paid postage bill, official, ...	37 76
	20	Town of Burke, for error in State tax, .	19 74
	21	Asa Story, late sh'ff, for distributing packages,	10 00
22,	22	Town of Burlington, for error in State tax,	36 56
	23	Same, for paid boarding State paupers, .	115 09
	24	Town of Concord, for error in State tax, .	13 03
	25	Town of Maidstone, for error in State tax, .	1 68
23,	26	Marshall Miller, clerk &c., for canvassing votes for Council of Censors, . . .	26 90
	27	Greenleaf Webb, sh'ff, for distributing packages,	16 00
	28	F. F. Merrill, Clerk House, for stationery and paid probate fees, &c., . , .	10 88
25,	29	James Morse, colonel, for collecting State arms,	8 00
26,	30	Erastus S. Camp, Serg't at Arms, for paid cleansing State House, ...	14 00
29,	31	Same, for paid cleansing windows, . .	16 50
30,	32	Chauncey Goodrich, for distributing acts of 1840 to sheriffs, ...	60 00

DATE.	NO	CLAIMANTS.	AMOUNT.
Nov. 1, 1841	34	Henry F. Janes, late Treasurer, for paid bill postage, official,	$53 77
	33	Joseph Berry, Auditor, (Treasury,) for time &c. in that office,	77 49
	35	D. Rich, Q. M. General, for time and cash paid military service,	1,068 62
	34	E. P. Walton & Sons, for State Printing,	195 40
3,	34	Charles H. Severance, for like service,	1 50
	35	Allen Wardner, for attending to labor of S. P. convicts,	12 74
	36	G. H. Smith, sh'ff, for distributing packages,	20 00
	37	Flagg & Abbot, for stone post at State House,	6 00
	38	Wm. Barron, late sh'ff, for distributing packages,	20 00
4,	39	Merritt Clark, Inspector &c. (military,) for paid State printing,	7 00
5,	40	John Moulton, for services before committee of House,	16 50
	41	John T. Freeman for like service,	18 30
	42	Geo. C. Pratt, for serving subpœna on witness,	6 95
	43	Wm. E. Trask, for service as witness,	18 30
	44	George Smith for like service,	18 30
	45	Wm. Hutchinson, for like service,	18 30
	46	Samuel I. Russell, for like service,	18 30
	47	John Currier, sh'ff, for boarding State prisoners,	115 73
	48	Anson Davis, jailor, for boarding State prisoner,	89 76
	49	Urias Daman, for services as witness before committee,	18 30
6,	50	Rufus L. Harvey, for the like service,	18 90
8,	51	Isaiah Silver, sh'ff, for distributing packages,	20 00
	52	L. Sargeant, Com. deaf, dumb and blind, for services in that office,	77 26
9,	53	E. S. Camp, Serg't-at-Arms, for services in that office,	147 74
	54	Henry F. Janes, for time settling with L. Egerton,	12 83
	55	E. P. Walton & Sons, for State printing and stationery,	486 08
	56	J. T. Marston, for newspapers for legislature,	19 70
	57	C. L. Knapp, Sec. State, for postage &c.,	13 98
10,	58	E S. Camp, Serg't-at-Arms, for services in that office,	147 23
	59	Same, for like services,	115 64
	60	E. P. Walton & Sons, for stationery, printing, &c.	599 47
11,	61	E. S. Camp, Serg't-at-arms. for paid attendants on State House,	279 00
	62	C. L. Knapp, for newspapers for legislature,	3 20
14,	63	Esec Atwood, jailor, for clothing State prisoners,	20 30
	64	Same, for boarding State prisoners,	73 76
30,	65	Anson Davis, jailor, for boarding State prisoners,	81 82
Dec. 5,	66	L. S. Noble, jailor, for like service,	74 24
6,	67	John C. Haswell, for State printing,	22 76
	68	John Currier, sh'ff, for boarding State prisoners,	17 06
9,	69	Robinson & Southmade, for State printing,	15 00

DATE.	NO	CLAIMANTS.	AMOUNT.
Dec. 10, 1841	70	C. L. Knapp, for State printing,	43 26
13,	71	George W. Nichols, for like services,	22 76
18,	72	A. G. Chadwick, for like services,	15 00
15,	73	E. Davis, for like services,	15 00
	74	E. B. Whitney, for like services,	22 76
	75	Ira Parsons, sh'ff, for boarding State prisoners,	69 24
24,	76	David Low, jailor, for like services,	68 54
23,	77	E. S. Camp, Serg't-at-Arms, for services and cash paid in that office,	39 13
24,	78	Town of Manchester, for error in State tax,	67 89
28,	79	Tracy & Severance, for State printing,	14 91
31,	80	O. S. Murray, for like services,	15 00
	81	H. B. Stacy, for like services,	15 00
	82	E. W. Blaisdell, for like services,	15 00
Jan. 3, 1842	83	Zerah Lull, jailor, for boarding State prisoners,	43 27
10,	84	Wm. E. Ryther, for State printing,	15 00
	85	Nathaniel Daggett jr., for like services,	65 89
11,	86	Chauncey Goodrich, for stationery and paid engraving State seal,	180 85
	87	Haskell & Palmer, for State printing,	16 00
12,	88	J. Poland, for like services,	15 00
17,	89	White & Gurnsey, for like services,	32 31
	90	J. Dorrance, jailor, for boarding State prisoners,	124 23
22,	91	E. P. Walton & Sons, for State printing,	423 73
	92	J. M. Sears, for like services,	15 00
26,	93	Town of Bridgewater, for error in State tax,	5 09
Feb. 3,	94	Esec Atwood, jailor, for boarding State prisoners,	63 17
7,	95	Bishop & Winslow, for State printing,	15 00
26,	96	Wm. E. Ryther, for like services,	7 76
28,	97	Chauncey Goodrich for like services,	7 40
March 2,	98	Haskell & Palmer, for like services,	14 00
5,	99	C. G. Eastman, for like services,	15 00
7,	100	Charles Howes, jailor, for boarding State prisoners,	58 18
12,	101	Wm. T. Burnham, Serg't-at-Arms, for paid for wood for State House,	18 34
14,	102	E. P. Walton & Sons, for State printing,	154 40
18,	103	Wm. T. Burnham, Serg't-at arms, for cash paid for wood &c.,	46 50
19,	104	N. H. Eaton, for State printing,	15 00
	105	E. Davis, for like service,	7 76
	106	Asa Story, for clothing State prisoners,	12 43
	107	Ira Parsons, sh'ff, for boarding State prisoners,	33 57
22,	108	Chauncey Goodrich, for State printing,	261 77
29,	109	Esec Atwood, for boarding State prisoners,	19 50
	110	C. Goodrich, for paid for notarial seal &c.,	54 50
April 5,	111	Zerah Lull, jailor, for boarding State prisoners,	290 40
	112	E. P. Walton & Sons, for State printing,	1,049 47
12,	113	Zerah Lull, jailor, for boarding State prisoners,	41 82
May 6,	114	D. R. Bogue, sh'ff, for like service,	123 99
	115	Jeptha Bradley, for State printing,	15 00
	116	J. W. Moore, for like service,	15 00

DATE.	NO	CLAIMANTS.	AMOUNT.
May 18, 1842	117	Town of Woodstock, for error in State tax,	$33 57
23,	118	Francis Slason, Director S. Prison, for time and expense in that service,	68 33
June 2,	119	Charles Howes, jailor, for boarding State prisoners,	49 95
20,	120	O. P. Chandler, Com. deaf, dumb and blind, for services in that office,	43 34
23,	121	David Low, jailor, for boarding State prisoners,	286 50
	122	G. H. Smith, sh'ff, for like services,	27 85
24,	123	Joel Lull, sh'ff, for distributing packages,	24 00
July 1,	124	J. Dorrance, jailor, for boarding State prisoners,	32 90
	125	Zerah Lull, jailor, for like service,	102 79
11,	126	Nathaniel Daggett jr., for like service,	182 65
14	127	Esec Atwood, jailor, for like service,	10 00
Aug. 8,	128	C. L. Knapp, Sec. of State, for State printing,	11 39
	129	Jacob Egerton, for distributing packages,	31 25
Sept. 1,	130	E. P. Walton & Sons, for State printing, binding books, &c.,	71 55
10,	131	State Treasurer, for paid for combination lock for treasury,	100 00
	132	Ch's Howes, jailor, for boarding State prisoners,	33 65
16,	133	David Love, jailor, for like services,	66 85
			$9,810 39

AUDITOR'S OFFICE, Woodstock, Sept. 30, 1842.

I hereby certify, that the preceding is a correct abstract of all orders drawn on the Taeasury of the State of Vermont, on accounts by me allowed, as Auditor of Accounts, since the 5th day of October, 1841, to this 30th day of September, 1842, amounting to the sum of nine thousand eight hundred and ten dollars and thirty-nine cents. $9,810 39.

DAVID PIERCE, *Auditor of Accounts.*

HIS EXCELLENCY, CHARLES PAINE,
Governor of the State of Vermont.

REPORT OF THE COMMITTEE UPON THE AFFAIRS OF THE ESSEX COUNTY BANK.

To the honorable the General Assembly of the State of Vermont now in session:

Your committee, appointed at the last session of this General Assembly, "to investigate the situation and concerns of the Bank of Essex County, to ascertain the manner of the transfer of the stock of said bank to foreign purchasers, the liabilities and responsibilities of each officer of said bank since the incorporation thereof, and to adopt and pursue such measures by suits or otherwise, as said committee may deem expedient, to protect the safety fund and the public from loss in consequence of the failure of said bank to redeem its bills, and to correct frauds, if any may be found to exist," respectfully report—

That, in attending to the duties assigned them, they have availed themselves of all the light which the books and papers of the bank now in the hands of the receiver, and the testimony of the president and cashier, would throw upon its transactions, and they believe they cannot better carry out the views of the General Assembly, than by giving a history of the leading acts of the bank, from the time of its organization to the termination of its business.

The Essex Bank was chartered at the October session of 1832, with a capital of $40,000, divided into 1000 shares of $40 each, subject to the provisions of the safety fund act of 1831, requiring that fifty per cent. of its capital stock should be paid in, previous to its making any discounts.

The books were opened by the commissioners, the stock subscribed in proper form, and the first board of directors duly elected. On the 15th day of April, 1833, one of the bank commissioners certified that $20,000 had been paid in as capital stock, agreeably to the requirements of the charter.

On the 16th day of April, 1833, the bank commenced its operations, at which time the cashier charged himself with the capital stock, consisting of a certificate of a deposite of specie in the Grafton Bank $10,000, current bills $8,537, and specie $1,463, amounting in the whole to $20,000.

On the same day $17,845 of the capital stock placed in the bank as aforesaid, and on the 22d of the same April $400 more of said stock was taken out of the bank, by some of the stockholders, substituting their private notes therefor, leaving only the sum of $1,755 and the notes of the stockholders for the sum of $18,245 to secure the redemption of the bills of the bank, which were thereafterwards to be put in circulation. Of the above sums taken from the bank, John Dewey received $15,460, and Thomas Carlisle received $1,500, they being the principal owners of the stock.

The first bills of the bank were prepared for emission on the 6th day of May, 1833, up to which time no loans or discounts were made to persons other than the stockholders, in the manner above described.

In consequence of the loss of that part of the discount register which

contained the transactions of the bank up to July, 1833, your committee are unable to ascertain on what security the discounts to stockholders were made, but from the statements of Greenlief Webb, one of the directors, they are led to the conclusion that no security other than a pledge of the stock was required.

Your committee would here remark, that from the manner of keeping the books of the bank, they have been unable to ascertain the time of the payment of the above, or any other of the notes of the bank, except they find that John Dewey paid $2,000 on his note above named, Aug. 1, 1833, and they are thereby precluded from ascertaining all the liabilities and responsibilities of the officers of the bank at any given time during its existence.

It is worthy of remark, that for several years after the bank went into operation, it labored under embarrassments in the redemption of its bills, and was frequently obliged to obtain loans in Boston and elsewhere, sometimes at a high rate of interest, and that many of its individual loans were extravagantly large, considering the amount of its capital. In one instance they find a loan was made to John Dewey of $15,720. This was Feb. 4, 1834, at a well-remembered time of severe embarrassments in the money market, and at a time when the bank was very much embarrassed. In some instances large loans were made without adequate security: two loans were made to Norton, Carlisle & Co. of Buffalo, N. Y., of $3,300, which were protested Nov. 15, 1836, and April 29, 1837, which are still unpaid and are probably wholly uncollectable. There was also loaned for the benefit of persons residing in Portland, Maine, $5,100, which was protested July 24, 1837, and passed into the hands of the receiver, who compromised with the endorsers on the payment of twelve and one-half per cent.

The dividend book of the bank exhibits the dividends of the bank as follows:

July 6, 1835,	$1,000
January 11, 1836,	1,000
July 1836,	600
March 11, 1839,	1,000

The last of the above dividends was made on the stock as it was owned August 10, 1838, of which John Dewey received $847, and Thomas Carlisle $112, although said Carlisle, as a member of the firm of Norton, Carlisle & Co., was then indebted to the bank in the sum of $3,300, and the note of said firm was then in the bank, protested.

It will be seen, that at the time of making said last mentioned dividend, the whole of the protested paper, above described, was in the bank and composed a part of its assets; there was also a large amount of suspended paper or bad notes then in the bank, and also composed a part of said assets, and upon all which said dividend was declared, and the object of the peculiar manner in which it was so declared, will be perceived when the circumstances of the transfer of the stock, which undoubtedly led to the *finale* of the concern, are stated.

The first board of directors was composed of John Dewey, Greenlief Webb, Chapin K. Brooks, Josiah B. Hall, and John S. Wells, who severally lodged their respective bonds with the Treasurer of the State, for the sum of $8,000 each, with one surety to each bond, who were mostly irresponsible men; all the bonds subsequently executed, except a part of those in 1839, have sureties of undoubted responsibility. John

Dewey was elected first president, and continued such until Sept 17 1838, when Greenlief Webb was substituted.

Your Committee find that, as usual, there were many transfers of stock, but the principal portion of it fluctuated between John Dewey, Greenleaf Webb, Thomas Carlisle, and Norton, Carlisle & Co., of Buffalo, N. Y., although Norton, Carlisle & Co. were indebted to the Bank at the time of the transfer of their stock, contrary to the provisions of the act of incorporation.

In the summer of 1838, H. Bradley, Esq., of Burlington, who was then Bank Inspector, received information that some persons from the state of New York were attempting to purchase the stock of the Essex Bank. He immediately went to Guildhall to attempt to prevent the sale, and received an assurance from John Dewey, who owned most of the stock, that no such sale should be made without his consent. Sometime afterwards E. S. Townsend, of Palmyra, N. Y., called on Mr. Bradley with a letter of introduction from Dr. Dewey. Townsend wished Bradley to give his consent in writing to a transfer of stock to him by Dewey, but he absolutely refused, and Townsend left, saying he could not obtain the stock.

On the 17th of August, 1838, John Dewey transferred to Thomas Carlisle 790 shares of the stock of said bank, who on the same day transferred 400 shares to Isaac F. Mack, of Rochester, N. Y. and 400 shares to said E. S. Townsend. In March 1839, Carlisle transferred to Mack 141 additional shares, which, with 4 shares obtained from other sources, made Mack and Townsend the owners of the whole stock of the bank, save 55 shares. For several years before the above transfer, and ever since, said Carlisle has been reputed a bankrupt, and has not possessed any visible estate either real or personal, and it was in proof before your committee that Dewey negotiated the sale to Mack & Townsend, and received the purchase money of them for the shares pretendedly sold them by Carlisle, and your committee have yet to learn for what good purpose this roundabout method was adopted, for conveying the shares of Dewey to Mack and Townsend, but they feel constrained to say that they can regard it in no other light than a mere artifice to protect Dewey from liability, and also to avoid the imputation of having broken his promise to Mr. Bradley.

Your committee are satisfied that when Mack and Townsend bought the stock, they knew that the notes and funds called capital stock were for the most part of no value, and that the assumed sum of $18,820 sold them as capital was mostly fictitious and false, and that they intended at the time of purchasing said stock, to raise the credit of the bank, which was then at a low ebb, by redeeming its bills promptly in the city of New York, for a short time, and then to flood the country with them and let the bank fail, and that they were only prevented from fully consummating their plans by their own failure, which took place soon after.

The bargain between Dewey and Mack and Townsend was privately made: neither the public, nor the officers of the bank, nor any other person that your committee have been able to find, knew of the terms and conditions of the sale of said stock until the bank had wholly failed to redeem its bills, which took place Aug. 14, 1839.

The terms of the sale were, as your committee are well satisfied, that Mack and Townsend paid $30 for each share of $20, the venders to

retain all the accumulated surplus, estimating the entire debts of the bank as solvent and collectable.

Your committee have no means of ascertaining with absolute certainty the time and mode of payment for the stock purchased by Mack & Townsend, but are well satisfied that payments were made at the time of purchase in the bills of banks, other than the Essex, borrowed for that express purpose, and that the loans thus obtained were afterwards paid in the bills of Essex bank.

At the time of the sale, the bank had $44,907 of its bills in circulation, and owed other sums of money, and had in its vaults in specie

	$319 08
Foreign bills,	1,200 00
State orders,	60 00
Deposites in Market Bank, Boston,	991 64
Amounting to	$2,570 72

The residue of its effects consisted of notes and accounts, more than $12,000 of which were and still are hopelessly bad, and of the remainder several thousands of dollars were very doubtful and still remain unpaid, and from which, in the opinion of your committee, very little, if any thing, can ever be realized.

It is evident, from all the evidence in the case, that for 945 shares of the nominal value of $18,900, and made up mostly of worthless and protested paper, Mack & Townsend paid $28,350 in cash. This act and the circumstances attending it, carry internal evidence of the object of the parties: it was pregnant with mischief, and afforded an ample opportunity for the perpetration of the most outrageous frauds upon the public.

On the 24th of Sept. 1838, at a meeting of the board of directors, composed of John Dewey, Greenlief Webb, and William Haywood jr., it was voted "that John Dewey be allowed and paid $3,500 for his services as president of the bank from April 15, 1833, to Aug. 17, 1838, and for balances of interest on his deposites up to the last date," which sum was subsequently allowed to him; and although there is no evidence that said Dewey had previously received any thing for his services, except when abroad on the business of the bank, your committee are given to understand that the above vote, together with the dividend of March 11, 1839, were the means adopted to give the sellers of the stock the pretendedly accumulated surplus before mentioned, in compliance with the contract with Mack & Townsend.

On the 17th and 20th days of August and 12th of Sept. 1838, the bank loaned to Mack & Townsend $32,000, about one half of which was loaned on the paper of Mack, Patterson & Co., a firm composed of Mack & Townsend and one Thomas J. Patterson, who was then and still is a responsible man, and the residue on the paper of Mack & Townsend; a part of the debt of Mack, Patterson & Co. was afterwards paid, and the remainder, with the paper of Mack & Townsend, was renewed, and afterwards formed a part of their notes of $60,440 hereinafter described.

It was agreed between the officers of the bank and Mack & Townsend, at the time of the above loan, that Mack & Townsend should place funds in the hands of some person in the city of New York, for the redemption of the bills of the bank.

On the 25th of August, 1838, Mack & Townsend executed a bond of $20,000 to the bank, to secure the bank for loans made or to be made to them, with several sureties residing in the western part of the State of New York, who, there is reason to believe, were wholly irresponsible at the time.

On the 10th of Sept. 1838, the directors voted an assessment of $5, on each share of the stock of the bank, and on the 24th of the same September a like assessment was voted.

The stock ledger shows a credit of $4,720 on account of the first assessment, but no other entry appears on the books in relation to it, and no mention is made of the second.

The issue book shows that $107,600 of bills had been prepared for emission, $20,100 were prepared after the sale to Mack & Townsend, from blanks furnished by them, $28,229 of which passed into the hands of the receiver, leaving $79,371 in circulation.

The bank was enjoined by the chancellor, on the 12th day of October 1839, and its effects passed into the hands of a receiver Nov. 4, 1839.

From a statement of the receiver it appears, that when he took possession of the bank, its outstanding bills were $79,371; of that sum $3,000 had been pledged for the payment of a loan and have since been returned to the receiver, and $5,770 have been delivered to him by Houghtons & Co., brokers of the city of New York, as redeemed bills, exhibiting an actual circulation of $70,601.

It was proved before your committee by the the cashier of the bank, that the bank sent $10,000 to said Houghtons & Co., after the sale to Mack & Townsend, to redeem the bills of the bank, that he subsequently demanded the redeemed money of them for the bank, but they refused to let him have it, saying they should sell it to pay the liabilities of Mack & Townsend to them, and your committee have strong reasons to believe that a large amount of the bills presented to the receiver by pretended claimants, have been redeemed with the funds of the bank, and it is clearly proved that a large amount of the bills presented to the receiver for payment, were presented by persons other than the real owners, and your committee are not satisfied that they were so presented for any honest or honorable purpose.

One of the Houghtons appeared before your committee and requested to be examined, but before the examination closed, he utterly refused to answer questions put him, calculated to ascertain the amount of money redeemed by them with the funds of the bank, and how much money thus redeemed, he had caused to be deposited with the receiver in the names of other persons—and said he could not tell the amount of money redeemed by them, or the amount of funds received by them to redeem bills with, within the sum of $5,000.

He however admitted that they had been employed by Mack and Townsend to redeem the bills, and that they had received funds to a considerable amount, both from Mack and Townsend and the bank, and that when they received the bills of the bank that were not to be put in circulation, they punched a hole through them.

A large amount of the bills deposited with the receiver, have holes punched through them, and some of the packages appear not to have been separated since they were punched in the manner described by Houghton—there is now in the hands of the receiver a package of $7,500

which was forwarded by the Houghtons and Co. and deposited in the name of one J. W. Martin.

Mack and Townsend's notes are in the hands of the receiver to the amount of $60,440, all of which bear date March 16, 1839, except one note of $5,000, with no security whatever except said $20 000 bond, which also passed into the hands of the receiver, has been sued, judgment obtained and the execution returned *nulla bona*, both as to principals and sureties.

It is a remarkable fact that several of the notes now in the hands of the receiver against Mack and Townsend, correspond exactly in amount with several of the bills of sale of said stock, from Carlisle to Mack & Townsend.

At the time the bank received the $20,000 bond, it was accompanied by a certificate of the cashier of the Wayne County Bank, certifying that said bond was good.

The indebtedness of the bank, as reported by the cashier, other than as above stated, was $3,840 39, which accrued from money borrowed by John Dewey, on the notes of John Dewey, Greenlief Webb and Wm. Haywood, jr., (against which, the said Dewey holds the indemnity of the said Webb and Haywood,) to enable the bank to redeem its bills after the sale to Mack and Townsend: they having failed to furnish funds as they had agreed, said notes still remain outstanding and are unpaid.

The nominal assets of the bank, which passed into the hands of the receiver, were—

Discounted notes and other evidences of debt, .	$94,907 79
John Dewey's receipts for notes held by him as collateral security, ...	9,457 50
Amounting to	$104,365 29

Included in the above are the notes of Mack and Townsend.

Of the debts other than those of Mack and Townsend, the receiver reports $10 or $12,000 absolutely bad, $6,402 collected, and a large proportion of the balance extremely doubtful.

The time limited by the Chancellor for presenting claims against the bank to the receiver, expired on the first of Sept. 1842, at which time

there had been collected of the bills of Essex Bank, .	$5,639
Deposited by claimants, ...	34,426
Amounting to	$40,065

which deducted from $70,601 leaves $30,536 still outstanding, and it is apparent that the bank has run under more than $60,000.

At the winding up of the business concerns of the bank, on the 14th and 15th days of August, 1839, writs of attachment were issued against the bank, but no property of any value could be found, except $19 41 in specie, an "Iron Safe," some packages of unsigned bills, a few blank books, a quantity of unsigned bills, and a few sticks of sealing-wax.

Your committee further report, that in their opinion the legislature, in granting the charters of the several Safety Fund Banks, and by the several laws they have enacted in relation to them, have endeavored to protect the rights of all persons, who may have any concern with, or interest in, them; under these laws a bank fund has accumulated to a large amount, which the law has intended for the payment or redemption of the bills of any Safety Fund Bank, which may become insolvent through

misfortune and without the fault of its officers. It has also made ample provision for the protection of the bill-holders against the frauds of such officers, by requiring large bonds for the faithful discharge of their official duties, to be lodged with the Treasurer of the state, and when the insolvency has been occasioned by the fraudulent conduct or neglect of such officers, adequate remedy may be obtained by the bill-holder, by a prosecution of such officers, in the manner prescribed by law.

The bill-holders being the persons *immediately* injured by the failure of the bank to redeem its bills, and the inability so to do being produced by the fraudulent acts of its officers, no doubt can exist but that suits upon their bonds may be resorted to by the bill-holders for their indemnification.

In all cases where the officers have performed their duty faithfully, and have been guilty of no breach of the conditions of their bonds, then no source can remain from which remuneration can be obtained by such bill-holder, but the bank fund.

And as it was manifestly the intention of the Legislature, that the interest of all persons concerned should be equally guarded and protected, we think that this construction of the law would evidently effect that object, but if bill-holders are permitted to resort to the bank fund for the redemption of the bills of insolvent banks, without regard to the manner in which that insolvency was produced, it is manifest that no person would seek redress by a suit on the bonds, while a single dollar of the bank fund shall remain in the Treasury.

Your committee are clearly of opinion, that the bill-holders of insolvent safety fund banks, made so by the misconduct of their officers, should never be permitted to have indemnity from the bank fund, while they may obtain redress by a suit on the bonds of the officers. To permit such billholders to resort to the bank fund for redress, would be the height of injustice,—it would be taking the money of those banks that have honestly and judiciously conducted their business, to pay the damages occasioned by the fraud of others, at the same time depriving the State of the use and income of the bank fund, and destroying the security of bill-holders, while those who have been guilty of the most barefaced frauds would go unpunished; in short, it would be punishing the innocent and rewarding the guilty.

Your committee, for reasons that must be manifest to all, leave this subject without recommending any measures to be pursued by the Legislature, trusting that in their wisdom, they will adopt such as the exigencies of the case may require, while your committee will give such advisory instructions to the receiver, as they are advised are prudent and proper.

All which is respectfully submitted.

DAVID HIBBARD, JR.
DANIEL COBB,
SEWALL FULLAM,
} *Committee.*

Montpelier, Oct. 24, 1842.

REPORT OF THE BANK COMMISSIONER.

To his Excellency Charles Paine, Governor of the State of Vermont:

The undersigned, Bank Commissioner of the State of Vermont, respectfully reports that he has inspected the Banks of this State, subject to the provisions of the act regulating the chartering of Banks, and finds the condition of those Banks to be as follows:

BANK OF MIDDLEBURY.

RESOURCES.	Notes discounted,	$75,857 60
	Due on book and from other Vermont banks,	1,584 68
	Specie,	3,585 34
	Bills of other banks,	2,917 00
	Safety fund,	2,700 00
	Deposits in Boston and Troy,	41,654 01
		$128,298 63
LIABILITIES.	Capital stock,	$60,000 00
	Bills in circulation and certificates,	54,633 00
	Unclaimed dividends,	245 95
	Due depositors and Bank of Burlington,	8,199 04
Sept. 20.		$123,077 99

BANK OF VERGENNES.

RESOURCES.	Notes and bills discounted,	$166,992 35
	Real estate,	2,500 00
	Foreign bank stock,	157 15
	Safety fund,	450 00
	Due from other banks,	1,070 60
	Deposits in New York and Boston,	12,721 49
	Specie,	7,740 39
	Bills of other banks,	3,747 00
		$195,378 98
LIABILITIES.	Capital Stock,	$100,000 00
	Bills in circulation,	57,891 00
	Dividends unpaid,	558 70
	Due to other banks,	5,438 12

	Unpaid drafts,	$5,575 44
	Deposits,	22,056 70
		$191,519 96

FARMERS' AND MECHANICS' BANK.

RESOURCES.	Notes discounted,	$101,871 98
	Domestic bills discounted,	43,855 57
	Deposits in Boston and other banks,	14,911 37
	Specie,	6,364 18
	Bills of other banks,	7,069 43
	Safety fund,	2,993 75
	Real estate,	8,000 00
		$185,066 28
LIABILITIES.	Capital stock,	$105,000 00
	Bills in circulation,	36,404 00
	Dividends unpaid,	209 40
	Due depositors and on book,	43,712 54
Sept. 24.		$185,325 94

BANK OF ST. ALBANS.

RESOURCES.	Notes discounted,	$93,644 56
	Specie,	4,643 18
	Bills of other banks,	4,645 00
	Suspended debt, exceeding deposits,	9,410 36
	Due from other banks,	3,762 56
	Banking house,	1,400 00
		$117,505 66
LIABILITIES.	Capital stock,	$50,000 00
	Bills in circulation,	44,036 77
	Dividends unpaid,	2,078 00
	Deposits,	8,029 57
	Due to other banks,	8,534 39
Sept. 27.		$112,678 73

THE FARMERS' BANK.

RESOURCES.	Bills discounted,	$72,776 69
	Specie,	5,961 70
	Bills of other banks,	8,234 68
	Due from other banks,	53 63
	Deposits in Troy and Boston,	27,427 14
	Banking house,	2,492 92
		$116,946 76

LIABILITIES.	Capital stock,	$60,000 00
	Bills in circulation,	53,870 00
	Dividends unpaid,	63 30
	Deposits and due other banks,	777 53
Sept. 28.		$114,710 83

BANK OF POULTNEY.

RESOURCES.	Notes discounted,	$55,094 26
	Specie,	4,177 80
	Bills of other banks,	830 00
	Due from other Banks,	2,303 37
	Deposits in Boston and Troy,	18,940 16
	Safety fund,	108 00
		$81,453 59
LIABILITIES.	Capital stock,	$50,000 00
	Bills in circulation,	28,534 00
	Deposits and unpaid dividends,	1,800 20
Oct. 1.		$80,334 20

BANK OF RUTLAND.

RESOURCES.	Notes discounted,	$145,435 52
	Specie,	9,075 80
	Bills of other banks,	2,801 00
	Due from other Vermont banks,	3,962 08
	Deposits in Boston and Troy,	22,288 63
	Safety fund,	604 26
	Banking house,	1,050 00
		$185,217 29
LIABILITIES.	Capital stock,	$100,000 00
	Circulation,	67,428 00
	Deposits,	11,937 70
	Unpaid dividends,	882 00
Oct. 1.		$180,247 70

BANK OF MANCHESTER.

RESOURCES.	Notes discounted,	$72,987 51
	Due on book,	5,350 95
	Specie,	2,136 51
	Bills of other banks,	2,210 00
	Deposits in New York, Troy, and Boston,	5,576 21
	Real estate,	11,172 59
		$99,433 77

LIABILITIES.	Capital stock,	$70,000 00
	Bills in circulation,	29,188 00
	Unpaid dividends,	143 85
		$99,331 85

BANK OF BRATTLEBORO.

RESOURCES.	Notes discounted,	$126,320 52
	Specie,	6,062 01
	Bills of other banks,	4,118 00
	Deposits in Boston, New York, and Troy, &c.	25,886 38
	Real estate,	2,702 98
	Bank stock,	3,253 99
	Safety fund,	2,700 00
		$171,043 88
LIABILITIES.	Capital stock,	$75,000 00
	Bills in circulation,	80,834 00
	Deposits,	9,588 00
	Due other banks,	456 85
Oct. 8.		$165,878 85

BANK OF BELLOWS FALLS.

RESOURCES.	Notes and bills discounted,	$96,389 17
	Due on book,	4,060 38
	Bank stock,	250 00
	Specie,	6,007 85
	Bills of other banks,	870 00
	Deposits in Boston,	20,491 72
	Real estate,	1,200 00
		$129,269 12
LIABILITIES.	Capital stock,	$50,000 00
	Bills in circulation,	55,330 00
	Deposits and unpaid dividends,	15,632 14
		$120,962 14

BANK OF WOODSTOCK.

RESOURCES.	Notes discounted,	$109,704 00
	Due on book,	530 27
	Specie,	3,748 78
	Bills of other banks, and State orders,	7,636 93
	Banking house,	3,000 00
		$124,619 98

LIABILITIES.	Capital stock,	$50,000 00
	Bills in circulation,	54,979 75
	Deposits,	15,460 18
		$120,439 93

BANK OF NEWBURY.

RESOURCES.	Bills discounted,	$79,024 72
	Due on book,	10,168 16
	Suspended debt, exceeding assessment,	14,277 30
	Specie,	3,697 05
	Bills of other banks,	607 00
	Deposits in Boston,	4,981 52
	Real estate,	1,927 94
		$114,683 69
LIABILITIES.	Capital stock,	$50,000 00
	Bills in circulation,	35,290 00
	Deposits,	12,641 68
Oct. 12,		$97,931 68

BANK OF CALEDONIA.

RESOURCES.	Bills discounted,	$68,401 55
	Due on book,	8,076 28
	Specie,	4,900 02
	Bills of other banks,	8,600 89
	Deposits in Boston,	5,312 13
	Real estate,	2,000 00
		$97,290 87
LIABILITIES.	Capital stock,	$50,000 00
	Bills in circulation and drafts,	42,791 74
	Unpaid dividends,	102 75
	Deposits,	1,517 12
		$94,411 61

BANK OF ORLEANS.

RESOURCES.	Notes discounted,	$43,382 00
	Specie,	3,320 00
	Bills of other banks,	615 00
	Deposits in Boston,	3,200 00
		$50,517 00
LIABILITIES.	Capital stock,	$30,000 00

	Bills in circulation,	$19,996 00
		$49,996 00

BANK OF MONTPELIER.

RESOURCES.	Notes discounted,	$97,485 00
	Specie,	2,317 97
	Bills of other banks and Treasury notes,	18,415 00
	Due from attorneys, &c.,	4,473 44
	Deposits in Boston and Troy,	10,374 00
	Banking house,	2,000 00
		$135,065 41
LIABILITIES.	Capital stock,	$37,500 00
	Bills in circulation,	73,000 00
	Deposits,	21,681 79
	Unpaid dividends,	79 00
Oct. 8.		$132,260 79

The Bank of Newbury, in 1838, in consequence of the failure of their agents in Boston, sustained a loss, amounting to about $28,000, and the directors have not declared a dividend of profits since, and the income of the bank, after deducting current expenses, has not yet been sufficient to repay the loss then sustained. The State's Treasurer, during the last year, called on the bank for the payment of ten per cent. of the profits of the bank accruing since the loss above stated, without regard to such loss. The bank declined paying, on the ground that the ten per cent. tax was a tax on profits, and as the bank had not made any profits, the directors were not under obligation to declare a dividend, or pay any portion of the income of the bank to the State's Treasury. The Treasurer represented the case to the undersigned, with a request that proceedings might be instituted against the bank for not making the payment required; but the undersigned, considering that the directors of the bank had pursued a correct course in not declaring a dividend under the circumstances, declined instituting proceedings against the bank, without the direction of the Legislature.

In compliance with the resolution of the last session, the undersigned made immediate application to the Court of Chancery for the County of Bennington, for the appointment of necessary receivers for the Bank of Bennington, and the

Court appointed Nathan H. Bottum and Henry Robinson, receivers, agreeably to the 79th chapter of the Revised Statutes, who forthwith took possession of the effects of said bank.

All which is respectfully submitted.

R. PIERPOINT, Bank Commissioner.

REPORT OF THE BANK INSPECTOR.

To his Excellency the Governor:

The undersigned, having been appointed a committee to examine and report the situation of the several banks in the State, not subject to the provisions of the safety fund act, makes the following report of the condition of such banks.

BANK OF BURLINGTON.

LIABILITIES.	Capital stock,	$150,000 00
	Bills in circulation,	72,839 00
	Dividends unpaid,	770 16
	Deposits,	25,263 18
		$248,871 34
RESOURCES.	Bills and notes discounted,	$207,738 33
	Due from State,	2,000 00
	Specie,	15,534 20
	Bills of other banks,	17,277 00
	Deposits in Boston, New York, and Troy,	20,994 98
		$263,544 51

BANK OF ORANGE COUNTY.

LIABILITIES.	Capital stock,	$70,000 00
	Bills in circulation,	41,248 00
	Deposits and due other banks,	8,181 97
		$119,429 97
RESOURCES.	Notes discounted,	$98,415 69
	Suspended debt,	18,782 81
	Specie, bills of other banks, and deposits in Boston,	13,997 76
	Real estate,	2,000 00
		$133,196 26

R. PIERPOINT.

Oct. 19, 1842.

AUDITOR'S REPORT.

To the General Assembly of the State of Vermont now sitting :

AUDITOR'S OFFICE, Montpelier,
October 12, 1842.

In pursuance and obedience to a resolution of the Hon. the Senate and House of Representatives, passed the 10th day of November, 1841, the Auditor of Accounts has the honor to submit to the General Assembly the following, as approximating the nearest to a satisfactory *report* of the finances of the State, which, under the existing laws and their imperfect execution, it has been in his power to present.

The defects in the existing laws, and their very imperfect, and in some cases impossible execution, have been alluded to in another report of the Auditor to the General Assembly.

The State of Vermont, on the 1st day of October, 1842, was indebted to sundry accounts to the amount of $208,330 29

As follows, viz:

To the School Fund,	$151,417 08	
To various towns for surplus revenue,	14,424 39	
To Bank of Burlington,	2,061 32	
To J. R. Langdon,	5,045 00	
To A. Willard,	3,094 98	
To old Bank of Montpelier,	376 20	
To the Safety Fund,	21,860 64	
To Safety Fund Banks, as interest,	6,201 48	
To Trustees of Insane Hospital,	4,113 33	$208,594 42

CAPITAL OF THE STATE.

The capital of the State is as follows, viz:

Balance due for State taxes,	$44,921 26	
Amount in the Treasury,	9,009 03	$51,930 29
Balance of debt against the State,		$156,664 13

It should be remembered, that $151,417 08 of this debt is due to the school fund, and $14,424 39 to the U. States de-

posite fund, amounting to the sum of $165,841 47, which sum exceeds the balance of debt against the State $9,177 34.

The school fund and the United States deposite fund may, not improperly, be regarded as portions of the capital of the State. The accounting officers of New York and Ohio, and perhaps other States, have treated them as capital. The United States deposite fund for the State of Vermont is

	$669,086 79
and the State school fund,*	181,926 99
	$851,013 78

From which deduct whole amount of State debt, $208,-594 42, and we have a balance of $642,419 36, applicable to the purposes of education, after the extinguishment of the entire debt of the State.

The United States deposite fund, with the exception of $14,424 39, which has been left in the Treasury by various towns, and which is now merged in the State debt, has been distributed to the several towns in the State.

The State school fund was commenced by act of the Legislature, passed in Nov. 1825, and since that period has been accumulating, from sources of revenue, which, but for that act, would have flowed into the Treasury, to be disbursed for the ordinary purposes of government. It is hoped, that the late action of the Legislature, upon the subject of this fund, may be admitted as an apology for adverting to that subject, in the following brief remarks. The act constituting this fund provides, that, "until the same shall amount to a sum, which shall yield an annual interest or income, sufficient to defray the current expenses of keeping a good free common school, in each district in the several towns, for a period of two months," it shall not be expended or appropriated to the use of common schools. Admitting the number of towns in the State to be 240, and allowing 17 districts to each town, and $58 82 as the expense of keeping a good free common school for two months in each year, and it would require a capital of $4,000,000, yielding an interest of six per cent. per annum, making no deductions for loss or expense of managing the fund, before the people of this State could expect to re-

* There has been a computation of the interest on school fund notes, which shows the amount falling due in October 1842 to be $3,000, and to be added.

alize any of the benefits, contemplated in the establishment of this fund. The Auditor's report in the Treasury department, in Nov. 1841, showed the fund, in round numbers, to be $164,000. It had then been accumulating sixteen years, and it would require fifty-five years more, before that sum, at compound interest, making no allowance for loss or expense, would amount to $4,000,000, or very nearly. This sum would be required, to yield the necessary amount of annual interest. In this calculation no allowance is made for increment of population, though at the rate of increase, as exhibited by the census, for the last twenty years, it would have accumulated more than twenty per cent. This possible increment of population, and the indefinite sum required to keep a school two months in the year, may possibly outrun the yearly additions made to the fund, and thus much farther delay the period, designated for the distribution.—This fund may be regarded as in an incipient state, subject to the control of the Legislature; so much so, that the act itself may be repealed, by the same power which enacted it. In this view of the subject, the fund may not improperly be regarded as part of the capital of the State, though sequestered, like the United States deposite fund, to a particular purpose.

The action of the Legislature, at the last session, by no equivocal indications, called in question the wisdom of hiring money to carry on the necessary operations of the government, while applying the ordinary resources of the State to swell a fund, to be enjoyed by future generations, who will doubtless be exempted from the burdens, which press upon the men of the present times. It cannot have escaped the notice of the Legislature, that in the condition of the finances of this State, from the commencement of the fund down to the present time, its origin was, and its accumulation has continued to be, dependant on direct taxation. The State had no surplus revenue, but all expenses of government were met by direct taxes. The purpose of the founders of the fund was to ensure the education of future generations, exempted from the burden of direct taxes. It is believed that the surest guaranty, for the education of posterity, is the present diffusion of knowledge to the greatest practicable extent; while the purpose of avoiding the taxing of a generation, more than fifty years hence, results in imposing a direct tax

upon the men of the present times, as much greater than the tax prevented, as the whole amount of losses incident to the fund and the expense of keeping it on loan.

Besides, were the fund now accumulated to $4,000,000, the amount assumed to be necessary, before, by the provisions of the act, the avails of the fund could be applied to their destined purpose, it might occur here, as it frequently has in Europe, that it would be difficult to keep so large a fund safely and constantly invested, at six per cent. interest. Should the State continue to be debtor to this fund, for coming years, in a proportion increasing with the fund, as for years past it has done, the subject would soon assume an interest of fearful importance. The interest of the loan could not probably be paid without a resort to direct taxes, in which event the very evil, designed to be avoided, would be encountered by future generations, in a form far more exceptionable. To carry on the operations of the government, and pay off the entire debt of the State, during the coming year, leaving the State school fund and the United States deposite fund untouched, would require a tax of 13 cents on the dollar on the grand list of 1841; and to cancel the debt of the State to the school fund, which must be done, should the Legislature enact to distribute it, would require a tax of 10 3-10 cents on the dollar, including 3 cents for the support of government.

The school fund, when regarded as a mere financial operation, is obnoxious to very serious objections. The three sources of revenue, sequestered to swell this fund, have never been sufficient to defray the ordinary expenses of government, but resort has always been had to direct taxes to supply the deficiency of the Treasury. The expense of collecting a direct tax is never less than seven cents on the dollar, and it may be more. The losses, necessarily incident to a fund on loan, and the expense of its management, could not be reasonably estimated at less than three per cent., provided it could always be safely invested at six per cent. on a long loan. But even this is not to be expected. According to this calculation there is a direct loss of ten cents on the dollar, on the entire amount of the fund, so that at the period, when by the calculation, the people of Vermont may expect to realize some of the contemplated benefits of the fund, they will have sunk $400,000 in the accumulation and management of the fund; in other words they will have expended $4,400,000, and will

have a fund of $4,000,000 only for the support of schools. The whole system, in its inception and progress, is founded on principles, which must necessarily eventuate in loss. Few would perceive the wisdom of the man, who should devote a long life, to accumulate a reservoir of water, above its natural level, by means of manual labor, to be used by his descendants for hydraulic purposes. All would see, that the project was founded in error and would result in loss; that the dreams of the visionary would be finally dissipated, by the imprisoned waters seeking and finally finding their natural level, and probably with disastrous results. And still there are many points of resemblance between the school fund and such a visionary project.

The interest of the State debt will be $12,515 66 for the coming year, and the sum of the receipts, from the three sources of revenue, sequestered by the act constituting the school fund, for that purpose amounts to $10,238 27 only, leaving the sum of $2,277 39 to be met by a direct draught on the Treasury, to pay the interest of the State debt.

Whether if the fund were accumulated to its contemplated amount, it would be promotive of the best interests of education, has been seriously doubted; but it would seem, that there could be but one opinion as to the policy of accumulating money in large masses, to be put afloat on the current of time, in the hope, that by possibility, it might reach and finally benefit a generation to be born half a century hence. While it is sure to hold out a lure to peculation, to ambition and corruption, the fund is always liable to be suddenly dissipated, as, to a considerable extent, was the case with the Smithsonian bequest.

Should the wisdom of the Legislature decide to apply the school fund to extinguish the State debt, as was in contemplation at the last session, at no distant period a diminution of taxes might be expected, and the losses and expense necessarily incident to a fund kept on loan, of course prevented.

Sergeant-at-Arms.

Agreeably to the requirement of the resolutions of Nov. 1841, an account was opened with the Sergeant-at-arms, in which he was charged with the amount of stationery, furniture and other property which was found on inventory to belong to

the State in and about the State House, at the close of the session of the Legislature; and it is gratifying to be able to state, as I now do, that the whole has been satisfactorily accounted for.

State's Attorneys and County Clerks.

It has not been in the power of the auditor to open satisfactory accounts with the various State's Attorneys and County Clerks in the State, as contemplated in the resolutions of Nov. 1841. The embarrassments, which have prevented the desired purpose, have resulted from the imperfections of the existing laws. These have been adverted to in my report to the Legislature, on the proposed modifications of those laws. By the 54th section of chapter XI. Revised Statutes, each State's Attorney is required annually, on or before the 15th day of October, to exhibit his accounts to the Treasurer for settlement. Since 1837, there should have been seventy returns, made to the Treasurer by State's Attorneys of various counties. The whole amount of returns, made at the Treasurer's office, since that time, is forty-one, leaving a deficit of twenty-nine-seventieths to be accounted for. No returns of an earlier date than 1837 have been found, nor do the Treasurer's books show any account opened with a State's Attorney anterior to that period, and but few accounts since 1835, and those so impefect as to render it wholly impossible to determine, from the books merely, the amount of State funds outstanding in the hands of those officers, though from the books and other evidence, it cannot be doubted, that the amount not accounted for must be very considerable.

The sum paid into the State Treasury by State's Attorneys during the year ending on the 30th of Sept, 1842, is $5,711 83

and by County Clerks, 431 94

$6,143 77

Vermont State Bank.

The concerns of this institution have been brought nearly to a close.

There has been collected during the past year as principal, $814 97

and as interest, 113 65

The amount of notes outstanding in favor of this bank is 1,104 36

To which add the sum of $358 30, a balance found and reported to be due, from a former agent appointed to settle the concerns of this bank, and we have the sum of $1462 66, constituting, so far as it is known, the balance of funds, belonging to that institution, to be hereafter collected and applied to school fund.

Military Department.

In consequence of the repeal of "so much of chapter 8th, of" the military act, passed Nov. 1, 1837, "as provides for paying officers, non-commissioned officers, and musicians, for attending regimental drills," the expenses of this department have been considerably diminished.

The amount of orders drawn by the Auditor of Accounts on the Treasurer, on accounts by him allowed for expenses and services rendered this department, during the past year, is $1,135 62

Amount paid other claims for military expenses, 907 15

$2,042 77

The act of 1841, authorizing a trial by jury in cases of delinquencies in the performance of military duty, has resulted in much vexation and considerable expense to the State.

The following commnnication, from the late Quarter Master General, will exhibit the probable expense to the State resulting from those trials.

Montpelier, Oct. 25th, 1842.

Sir:—At your request, I hand you the expenses incurred in 13 regiments, from whose Quarter Masters returns have been received, showing in cash the balance due the Quarter Master, over and above the amount of judgments in his favor, for which the Quarter Masters have received or are entitled to an order on the Treasury, to wit:

1st Regiment,	$27 95
2d	64 21
4th	251 50
5th	66 21
6th	129 72
7th	197 67
9th	181 75
10th	10 71
18th	50 08
20th	48 50
22d	63

24th	99 25
25th	148 18

Making the whole expense to the State, in 13 regiments, exclusive of the loss on executions uncollected, . . . $1,285 36

Should the remaining fifteen regiments be equally expensive, the whole charge to the State will be but a fraction short of $2,800, for delinquencies at June training in 1842. To this sum should be added the losses on executions uncollected, which will probably amount to from $300 to $500 more, and perhaps a larger sum.

Your ob't serv't,

DAVIS RICH.

HON. D. PIERCE, *Auditor, &c.*

Which, added to	$2,042 77
	1,285 36
will exhibit the sum of	$3,328 13

as the amount expended in the military department for the past year.

D. PIERCE, Auditor.

REPORT OF THE COMMISSIONERS OF THE DEAF, DUMB, BLIND AND INSANE.

To his Excellency, the Governor of the State of Vermont :

THE Commissioners for the instruction of the deaf, dumb and blind for the year 1842, respectfully submit the following report.

Within the year ending on the 14th of May last, there were at the American Asylum for the deaf and dumb, twenty-two beneficiaries from this state who had been admitted by former boards of commissioners; of which number, during that year four completed their terms of admission and were discharged; two have left the institution and one other deceased.

At the meetings of our board in February and May last, we gave warrants of admission to four, as beneficiaries, three of whom are now under instruction; we have also extended the terms of two former beneficiaries two years. During the recent vacation of the Asylum one other of our pupils deceased, reducing the number of our beneficiaries at the institution at the commencement of the present term, to seventeen. Your commissioners have drawn upon the Treasury for the payment of the semi-annual bills of the Asylum to the amount of $2207 14, also $15 for the expense of transporting one of the beneficiaries to the Asylum.

Your Commissioners further report, that at the commencement of the present year there were four beneficiaries at the Perkins Institution and Massachusetts Asylum for the blind, who had been admitted by former boards. Of this number one has since completed her term and been discharged. We have admitted to the Asylum the present year four pupils for instruction, three of whom have entered the institution. We have also admitted one to the work department, and have extended the terms of two others for one and two years.

We have drawn upon the Treasury to meet the bill of the

institution for the year ending April 1, 1842, the amount of $654 94, but having discovered an error in the bill for the amount of $66 65, we have placed that amount to the credit of the state, which reduces the expenses for our blind beneficiaries for the present year to $588 09.

Your Commissioners further report, that in the appropriation of the fund for the support of the insane poor, in pursuance of an act of the Legislature of the last session, we found the duties and responsibilities of the office much increased. As the fund appropriated by the act was insufficient to meet all the cases that were reported to us, it became our duty to select, out of more than one hundred cases which were reported, such as appeared to us to be the most meritorious objects of public charity. In this view, having consulted with Dr. Rockwell, the superintendent of the Vermont Asylum, and made such other investigation as we were able, we were led to the conclusion that we ought generally to afford aid to those poor persons whose insanity had been of the shortest duration. Regarding insanity as a disease, which like all others, will more readily yield to early medical treatment, we believed that by granting aid to this class we should in most instances furnish the means of a speedy restoration to health, while we could generally do little more than to add to the comfort and convenience of those whose insanity had by long continuance, become confirmed and hopeless. In the one case, the appropriation would subserve the purposes of state charity by granting relief to the unfortunate individuals, while in the other, we should do little more than to relieve the towns of a portion of their public burthens. In carrying out this design we have granted aid in a few cases to those who have for a long time been afflicted with only occasional or partial insanity where improvement and recovery might be expected.

Of all the cases reported to us, we have designated twenty-four as beneficiaries. Of that number four have since recovered and been discharged; one other has since been discharged. One other has been discharged who was improved, nine are convalescing, four are improving, and six are stationary.

The persons thus designated by us, were placed in the Vermont Asylum for the insane, by contract with the trustees, at the rate of one dollar and fifty cents per week. The semi-annual bill of the asylum against the state will be about $678. And we have drawn upon the treasury for $20 to

meet the expense of transporting one of the insane persons to the Asylum.

Your commissioners here take occasion to express their high regard for this institution, and particularly for Dr. Rockwell, its distinguished superintendent, in whose scientific skill, humanity and persevering faithfulness, they have the utmost confidence.

By the provisions of the existing law, it is the duty of the board of civil authority, annually to report to the commissioners, all the cases of the deaf, dumb, blind and insane within their respective towns. From our experience in respects to these provisions, we deem it our duty to suggest the propriety of an alteration of the law, by which it should be the duty of the selectmen in each town, to report to the commissioners, or some one of them, all recent cases of insanity occuring between the annual meetings of the civil authority as often as they occur.

We think this more especially important in respect to cases of insanity, wherein effectual relief can rarely be afforded, except in the earliest stages of the disease. This immediate attention cannot be secured by the provisions of the present law, which merely brings such cases annually to the knowledge of the commissioners.

All which is respectfully submitted, by

HENRY STOWELL,
CALVIN JEWETT, } Commissioners.
O. P. CHANDLER,

Montpelier, 13th October, 1842.

SIXTH ANNUAL REPORT OF THE TRUSTEES OF THE VERMONT ASYLUM FOR THE INSANE.

OFFICERS OF THE ASYLUM.

BOARD OF VISITERS.

HON. CHARLES K. WILLIAMS,
" STEPHEN ROYCE,
" JACOB COLLAMER,
" ISAAC F. REDFIELD,
" MILO L. BENNETT.

COMMISSIONERS OF THE INSANE POOR.

HENRY STOWELL, ESQ.,
CALVIN JEWETT, M. D.,
O. P. CHANDLER, ESQ.

TRUSTEES.

SAMUEL CLARK, ESQ.,
EPAPHRO' SEYMOUR, ESQ.,
ASA KEYES, ESQ.,
N. B. WILLISTON, ESQ.

SUPERINTENDENT AND PHYSICIAN.

WILLIAM H. ROCKWELL, M. D.

ASSISTANT PHYSICIAN.

DR. SAMUEL B. LOW.

MATRON.

MRS. D. K. BAKER.

REPORT.

To the Hon. the General Assembly of the State of Vermont:

THE Trustees of the Vermont Asylum for the Insane respectfully submit their sixth annual report:

Since the last annual report, the new wing has been completed, which has furnished additional accommodations, and has increased our facilities for a better classification of the patients. Large and well ventilated halls, neat and pleasant sleeping rooms, a plenty of pure water, and kind and faithful attendants are furnished the establishment, and every thing is supplied to promote the comfort of the unfortunate inmates.—The trustees confidently believe that this institution now possesses all the facilities for restoration, which can be found at any similar institution in our country.

The institution has now been nearly six years in successful operation. During this time four hundred and twenty-four insane persons have partaken of its advantages. Three hundred and eleven have been discharged, and one hundred and thirteen now remain in the institution. Of those who have been discharged, one hundred and seventy-nine have been restored to their reason and usefulness. Many of the others, who had been confined in cages and chains, have become mild and greatly improved in their habits, and now partake of the comforts of life.

Since the first opening of the Asylum, notwithstanding the embarrassments peculiar to the commencement of all similar institutions, no serious accident whatever has ever happened to any one (patient or otherwise,) connected with the establishment. And, notwithstanding the large number of suicidal cases which have been admitted, artfully seeking every opportunity for self-destruction which a morbidly excited ingenuity could invent, we have thus far escaped the melancholly event of suicide. For a watchfulness and care, so vigilant and unremitting, great credit is due to those to whose charge they were committed.

We are gratified that we have so healthy a location. The climate is mild, and the mountain air is salubrious. Since the first opening of the institution, notwithstanding the severe

physical diseases to which many of them were subject, there have been but twenty-one deaths, or a little less than five per cent.

We consider it no longer necessary to prove the importance and necessity of this institution to the State, nor its utility to those who are afflicted with this severest of human sufferings. Great numbers of the insane may be restored to their reason and their friends, by a timely application of the facilities for curative treatment at the Asylum. The prospect is truly cheering to the friends of humanity, that suitable provision is made for the restoration of the insane poor, before they have passed into an incurable state, wretched in themselves, and a source of inconceivable anxiety, as well as of great expense, to their friends and the community.

The provision made for the insane poor at the last session of the Legislature, is a most benevolent and salutary provision for those who suffer the double affliction of poverty and insanity. It is believed that it will be adequate to give a fair trial to every recent case that may be offered for admission. If the insane are placed at the Asylum as soon as they are attacked with the disorder, many will be restored in three months, thereby making room for others to take their places. When we consider the large proportion of recent cases that recover, and the joy experienced by an unfortunate family, by having one of its afflicted members restored to usefulness, what an amount of happiness is produced by this noble provision?

It is much to be regretted, however, that, according to the present statute, a more direct application to the Commissioners cannot be made, as soon as a person becomes insane.—The longer the time between the attack of insanity and the placing the patient in an asylum, the longer will be the time required for restoration, and the less will be the chance of cure. Besides, the affliction and expense of the friends continually increase while the patient remains with them. If an indigent person becomes insane in February or March, for instance, he must wait a whole year, according to the present statute, before he can partake of the benefit of the appropriation. During this time he may have lost the only favorable season for recovery, and have passed into an incurable state. In the month of last February an indigent person and head of a family became insane. His friends, supposing it to be

too late to apply to the Commissioners for a share in the appropriation made by the State, sent him to the Asylum at their own expense. Before the Commissioners met in May, the patient was restored to his afflicted family, enjoying the blesings of health and reason, and capable of performing the relative duties of domestic and social life. Had his friends anxiously waited until "the first of February" of the following year, he might have passed into a state of hopeless insanity. We would, therefore, most respectfully invite the attention of the Legislature to this subject, trusting they will so amend this part of the statute, that those who are afflicted with this severe malady may receive the first practicable relief.

In noticing the results of the last year, we find that one hundred and ninety-six have partaken of the benefits of the institution. There were ninety-five patients at the commencement of the year, and one hundred and one have been admitted. Eighty-three have been discharged, leaving one hundred and thirteen patients now in the Asylum. Of those who have been discharged, forty-nine have recovered, twenty-eight have not recovered, and six have died.

We would again allude to what has so often been urged—the necessity of placing the insane in an asylum soon after the attack. By the report of the physician it will be seen, that nearly nine-tenths of the recent cases have recovered, while less than one-third of the old cases have been restored. Those, therefore, who are interested for the insane, should be aware of the importance of placing them under proper curative treatment in the first stages of their disorder. Every moment's delay increases the difficulty of restoration, and the expense is also greatly increased, as old cases require much longer time for their recovery.

The Trustees have attended to that part of their duty which requires an examination into the direction and supervision of the Asylum, and the treatment of the patients. We are happy to state, that there has been manifest, in every part, a degree of neatness and comfort, and an efficiency, mildness, and good order, which were worthy of all commendation.—The Asylum has been so generously aided by the public, through its Legislature, that the whole people have a right to know how its affairs have been managed. The solicitude and anxiety of those who place their dearest relatives in this institution, can be borne only by the strongest confidence in

the benevolence and humanity of those to whom they are entrusted.

We know that there are some who still retain their notions of an asylum from the opinions they had formed from the description of mad houses of the last century. Until within a few years, most of the asylums for the insane were merely places of safe-keeping of the patients. The unfortunate inmates were too often consigned to a living tomb, from which it was difficult to escape, until death, like a welcome messenger, removed them from their wretched existence. Could we witness no other management in the lunatic asylums of the present day, we would not have intruded the claims of this institution upon the attention of the Legislature. We are not ignorant that baseless suspicions and unfounded jealousies have always existed, to a greater or less extent, against institutions of this character. Those who have any doubts, we would invite to visit the Asylum, when they have opportunity, and we are confident that all their doubts will be removed.

Improvements are constantly making on the farm, which, in a few years, will be in a high state of cultivation. A greater amount of produce is every year realized, which greatly tends to lessen the expenses of the Asylum. But its chief advantage is, its beneficial effects on the patients. Exercise in the open air has always been conducive to their improvement and restoration. The best exercise for most of our male patients is, useful labor on the farm, which affords them pleasant employment, improves their health, and accelerates their recovery.

In conclusion, we would bear cheerful testimony to the prudent and faithful manner in which the several officers have performed their arduous and responsible duties; and at the same time we would commend the institution to the fostering care of the Legislature of this State, as worthy of their guardianship and protection.

SAMUEL CLARK,
E. SEYMOUR,
ASA KEYES,
N. B. WILLISTON.

Brattleboro', Oct. 7, 1842.

ABSTRACT

Of the general expenditure for the Asylum, for the year ending Sept. 30, 1842.

Stores, provisions, &c.,	$6,272 92
Salaries and wages,	3,146 30
Medical supplies,	270 13
Improvements and repairs,	1,819 34
Furniture, bedding, &c.,	924 66
Contingencies,	182 19
	$12,615 54
Income from board of patients, &c.	12,935 36

WILLIAM H. ROCKWELL, Superintendent.

Brattleboro', Oct. 1st, 1842.

The patients have been from the following places:

Vermont,
Maine,
New Hampshire,
Massachusetts,
Connecticut,
New York,
New Jersey,
Georgia,
Louisiana,
Territory of Iowa,
Lower Canada,
Island of Bermuda.

SIXTH ANNUAL REPORT OF THE PHYSICIAN AND SUPERINTENDENT OF THE VERMONT ASYLUM FOR THE INSANE.

The number of patients remaining at the close of the year,		95
There have been admitted during the year,		101
Total enjoying the benefits of the Asylum,		196
There have been discharged during the year,		83
There remains, Oct. 1st, 1842,		113
Of the 83 cases discharged, there have been,		
Recovered, ...	49	
Not recovered, ...	28	
Died, ...	6	83
Of the 39 recent cases discharged, there have		
Recovered, ...	35	
Not recovered, ...	2	
Died, ...	2	39
Of the 44 chronic cases discharged, there have		
Recovered, ...	14	
Not recovered, ...	26	
Died, ...	4	44

Recovered, of all the cases discharged the past year, 59 per cent.

Recovered, of all the recent cases discharged the past year, 89.74 per cent.

Recovered, of all the chronic cases discharged the past year, 31.81 per cent.

Recovered, of all cases discharged, 57.55 per cent.

Recovered, of all recent cases discharged, 89.11 per cent.

Recovered, of all chronic cases discharged, 29.26 per cent.

Since the opening of the Asylum 424 patients have been admitted, 311 have been discharged, and 113 remain in the institution.

Of the 424 patients who have been admitted, 179 have recovered, equal to 42.21 per cent.—21 have died, being a little less than 5 per cent.

We have again to acknowledge our obligations to a kind Providence, for the many favors we have been permitted to enjoy, the past year. We have been preserved from any suicide or serious accident, and have enjoyed an unusual degree of health. We have received a greater number of inmates than in any former year, and our endeavors in behalf of our afflicted fellow-men have been crowned with increased success.

We have had no epidemic sickness, and but six of our patients have died. Two were brought here in a moribund state, neither of which lived a week. One died of epilepsy, one of marasmus, one of inflammation of the brain, and one of old age.

The wide difference in the proportions of cures in recent and chronic cases, strongly reminds us of the importance of placing the insane in a proper asylum in the early stage of the disease. We would not, however, discourage the friends of those whose disease has been of longer duration from making a fair trial. During the past year we have had the gratification of witnessing the recovery of two who had been insane six or eight years. One had been with us twenty-two and the other thirty-one months. In the case of the one last mentioned, there had been no indications of amendment until within a few months of his restoration. The chief means used at the time of his improvement was constant useful la-

bor. It is thought by some, that three or at most six months will afford abundant opportunity for ascertaining the curability of the patient. In many of the cases, twice that length of time is necessary to remove the physical disease which produced the insanity. I have no doubt that many more chronic cases would recover, if they could have a sufficient time of trial.

The cure of the insane, though the greatest, is not the only object of the institution. The improvement and comfort of those who have passed into an incurable state, is of no small importance. Many who were so violent before admission as to be confined and even chained, have now become peaceful members of our family, and conduct with propriety.

In asylums for the insane, every necessary appliance, both medical and moral, are requisite, to obtain the greatest success. Without the indispensible aids of good moral management, little can be done. Medical treatment is equally necessary to remove the physical disease on which the insanity depends. Insanity itself is nothing more than the effect of physical disease, and the skilful application of remedies to remove that disease is of the first importance. Even moral causes never produce insanity, until some change has taken place in the physical system, which requires physical remedies to restore that system to its natural, healthy state. The successful medical practitioner duly appreciates the judicious application of moral means in removing disease. But the skilful co-operation of both medical and moral treatment, affords the best chance for the restoration of the patient.

In our endeavors to restore the insane, our chief object is to make use of such means as shall tend to promote the health of the patient, and keep his mind agreeably occupied. One of the best means we have found for this purpose is exercise in the open air. For those of our male patients who are able, and whose former pursuits have been agricultural, employment by useful labor in the garden and on the farm, has proved very beneficial. It operates morally by occupying the attention and diverting the mind from its morbid fancies; and physically by improving the health of the patient. We are

constantly making improvement on the farm, which, in a few years will be in a high and profitable state of cultivation. More land is needed to furnish sufficient employment for our patients.

The inmates of a lunatic hospital are unlike those of a hospital for the cure of other diseases, where its patients are not only unable to attend to their own wants, but need the constant and unremitting care and watchfulness of their attendants to alleviate their sufferings. The insane on the contrary are frequently in comfortable health, able and willing to assist in the support of themselves and others, and even rejoice in the opportunity to assist in relieving their fellow men from the greatest affliction to which human nature is subject. While they are engaged thus in their laudable and humane employment, they are using the best moral means for their restoration.

We wish not to be understood that all who are not confined by sickness are engaged in some useful labor; for in a lunatic asylum there are always some who are too feeble to be employed. The greatest care is always taken that no one shall exercise beyond his strength. All of those who are able, are not engaged in useful employments. Some are employed in works of ornament, according to their former education, habits and taste. We have a carpenter's shop and also a shoemaker's shop for our male patients in the winter season.

While we have made so great exertions for the employment of those who were in a proper condition, we have not failed to bestow the most kind and assiduous attentions upon the sick. According to annual statistical reports, our bill of mortality has been less than that of any similar institution in this country. Whenever a patient is taken sick, he is always removed to the most quiet part of the establishment and is attended day and night as long as his sickness continues.

Our female patients take exercise in the open air by riding, walking, and culling flowers in the garden. We have horses and carriages devoted exclusively to the benefit of our inmates, and most of our female patients who are able, ride ev-

ery fair day. We have, connected with the establishment, a beautiful garden, containing a great variety of plants, to which our females frequently resort in the summer and take great delight in culling flowers for their rooms.

The matron has frequent sewing parties, which all the female patients who are in a proper condition attend. In these parties they appear to take great delight. At these times they are furnished with fruit and other suitable entertainment. Those who have been accustomed to playing on the piano, practice the same at the asylum. Others amuse themselves by playing chess, backgammon, draughts, battledoor, graces and other similar amusements.

We have a library of about four hundred volumes, which affords much interesting matter for those who are fond of reading. The assistant physician is ex officio librarian, and books are taken out every Wednesday and Saturday. We have commenced collecting a cabinet of minerals, which will probably increase from year to year.

We would gratefully express our obligations to those editors and publishers who have so generously sent us their newspapers for the benefit of the patients. Each paper is eagerly sought by those who have resided in the vicinity where it is published. Newspapers and other periodicals furnish more entertainment and topics for conversation than any other kind of reading.

It was a source of great regret that we must part with our matron, Mrs. Wilkins. She had devoted her energies to the best interests of the institution with a zeal and prudence which is rarely equalled. Being at once kind, humane, prudent, assiduous, and untiring in her efforts to promote the welfare of those committed to her care, her resignation was much to be regretted by the friends of the asylum. We are happy to state that our present matron has performed her duties in a manner that merits our approbation and inspires us with anticipations of her great usefulness in her department.

We have continued our religious exercises ever since the asylum was first opened. We know not of their having been

injurious to a single patient, and to many they have not only been a source of great comfort, but have greatly assisted in their restoration. Most of our patients delight to attend and would be greatly disappointed if they were denied the privilege.

Encouraged by the success which has attended our past endeavors, may we not hope for a continuance of the smiles of Divine Providence to bless our future labors.

WILLIAM H. ROCKWELL.

Brattleboro', Oct. 1, 1842.

TERMS OF ADMISSION.

For indigent patients *of this state*, two dollars per week, or one hundred dollars per year, if they remain so long in the Asylum.

For all others, two dollars and fifty cents per week for the first six months, and after that time two dollars per week.

Those who require extra accommodations, and those afflicted with nervous diseases, will be received at reasonable prices, according to the accommodations required.

No patient will be received for a less term than three months. But if the patient should recover before the expiration of that term, the pay for the unexpired time will not be required. If the patient remain longer than three months, the subsequent payment will be required only for the time the patient remains.

No charge is made for damages in any case.

Application for the admission of patients must be made, by letter or otherwise, to Dr. Wm. H. Rockwell, or either of the trustees.

REPORT OF THE COMMITTEE ON THE STATE PRISON.

The Committee on the State Prison, to whom was referred the Report of the Superintendent of the State Prison, with the accompanying papers, present the following REPORT:

Your Committee, upon inspection of the books of the Prison, and from the examination of a large number of witnesses who appeared before them, find the following facts.

During the last year four convicts have escaped. One of these, by the name of Fassett, had been sent outside of the Prison walls, to white-wash the fence, and at some time after 5 1-2 o'clock, P. M., escaped. He was unattended by a guard. He had been lame with a fever sore.

Two others escaped by nailing together two pieces of board, and hitching the same to the pickets of a fence, placed upon the top of the Prison wall by the present Superintendent, with the knowledge and approbation of the Directors. The escape was made about 7 o'clock, P. M. The manner of the other prisoner's escape did not appear.

It was satisfactorily proved that the number of the guards was insufficient for the safety of the Prison, and that the guard was removed from the wall from May last until recently, sleeping in a box elevated in one corner of the Prison, instead of patrolling the galleries, as formerly was practiced. The guard had been reduced from four to two, by the present Superintendent.

Some of the prisoners had, previous to the last year, been suffered to go without the walls, but until the reduction of the number of the guard, accompanied or watched by them.

It was also proved to the satisfaction of the Committee, that the present keeper of the Prison is sixty-three years of age, is infirm, and feeble; that he has been repeatedly known to use profane language in the presence of the prisoners; and that on one occasion, when the profanity and insolence of a prisoner to a subordinate officer, was reported by the chaplain, as a grievance, the keeper, after the chaplain had left, treated the chaplain's report with marked disrespect. This was in the presence of the guard.

Offences reported to the keeper were allowed to go unpunished, and in the instance of the convict, Gilbert, the keeper gave the care of his correction, for the purpose of compelling him to perform his allotted work, into the hands of Cone, a blind convict, sentenced to the State's Prison for the crime of manslaughter. Cone several times inflicted corporeal injuries upon Gilbert, for real or imaginary offences. Gilbert was, on another occasion, followed by a convict eight or ten rods, and beaten the whole distance with a hoop. This was by the permission of a subordinate officer. It did not appear that this came to the knowledge of the keeper.

On other occasions, it was shown that the keeper had administered proper reproof and correction, upon report of insubordination.

Other facts were established, confirming the conclusion, that the police of the Prison, for the past year, has been insufficient in,

I. The personal infirmity of the keeper.

II. In authorizing Cone to inflict punishment upon Gilbert.

III. In allowing offences to go unpunished.

IV. In reducing the number of the guard, and the consequent removal of the guard from the wall and the guard room.

In reference to the shoe-shop and the estimated profits, it appeared that there was no inventory made, by the Directors, in this shop. The Directors arrived at the Prison, one upon Tuesday, the other upon Wednesday, and both left on Saturday of the same week. This last was absent two days of the time. The reason assigned why an inventory was not made was, the want of time. This was the first week of October last.

The Committee were satisfied that an inventory might have been made of the stock, &c. of the shoe-shop, with the exception, perhaps, of the hides in the tannery. The Superintendent appears to have furnished every facility for a full investigation of the concerns of this department.

The Committee are satisfied, from the testimony of Mr. J. T. Freeman, the book-keeper, (in whose testimony they beg leave to express the most perfect confidence,) that there will be but a very slight, if any, profit, from the shoe establishment. It did not appear that this want of profit arose from any want of proper management of the concerns of the aforesaid shop.

It appeared, and was admitted, that a nominal balance of about $3,800 is due the State from the present Superintendent and his former partner or partners in trade; that this balance had been accumulating for some years; that the former Superintendent had endeavored to get a settlement and adjustment of the accounts, but did not succeed. Your Committee are of opinion, that the neglect or omission of the present Superintendent to settle and adjust the said account, so far as to determine its condition, was without reasonable cause, and that the said account remains unclosed to this day. It does not, however, appear, that this balance of account has ever been reduced to cash by the present Superintendent.

Your Committee are further satisfied that, in five separate and distinct instances, the sale of goods, the private property of the present Superintendent and those associated with him in business, has been made, for the purchase or for the payment of supplies for the State Prison, when the State had the same kind of property on hand, which, for any thing that appeared to the contrary, might have been disposed of in payment for such supplies. The amount of these conflicting sales was near $500. It did not appear that the acts of insubordination ever came to the personal knowledge of the Superintendent, excepting that fears were expressed to him, upon two occasions, that "things were not going on as well as they ought." It appeared that he had recovered some doubtful claims due the State, and that so far as his *personal* conduct and attendance as a part of the police of the Prison is concerned, he has discharged his duty efficiently.

Your Committee have not been advised of any facts, relating to the moral or physical condition of the convicts, other than those already set forth, necessary, in their judgment, to a correct understanding of the affairs of the Prison.

Having discharged the duty devolving upon them, your Committee ask to be discharged from the further consideration of the matter referred to them.

J. McM. SHAFTER, *for Committee.*

REPORT OF THE MAJORITY ON THE RHODE ISLAND AFFAIR.

Your Committee, to whom was referred so much of the Governor's Message as relates to the late proceedings of the suffrage party in Rhode Island, fully agreeing with the views of his Excellency upon the subject, report the following resolution:

Resolved, That the late attempts of that portion of the people of Rhode Island, called the suffrage party, to overturn the existing government of that state, were rebellious and revolutionary, and that some of the doctrines by which such proceedings are sought to be justified, are dangerous to civil liberty.

Your Committee deem it proper to submit some of the reasons, which have led them to the conclusion, set forth in the foregoing resolution. In doing so, the committee lay down the following propositions, which it is believed cannot be controverted.

1st. A formal, written constitution is not necessarily essential to the foundation and establishment of a free government.

2d. If such written constitution be thus essential, the Government of Rhode Island, has that prerequisite.

3d. A constitution, or fundamental law, once established, can only be changed in pursuance of its own provisions, except when actual oppression justifies revolution.

The first proposition appears to your committee too evident to require an extended demonstration.

The political compact, the constitution of a state, is nothing more than the agreement of a people, upon the general rules, which shall constitute their form and plan of government, and show its character, by declaring the principles upon which it is based.

Reducing this argument to writing, is but a mode of preserving and perpetuating the evidence of its existence;—it is but the dress in which the agreement is clothed, a mere incidental. It does not give to the agreement its binding force, nor increase or diminish the obligations of the citizen to perform it. The power of the political compact lies deeper, in the very nature of the compact itself, in the absolute and moral necessity of a strict adherance to its provisions, for the safety of the body politic, and in the mutual confidence of all the citizens in each other at the time of its adoption.

A recurrence to the history of free governments, shows the proposition to be true, not in theory only, but in fact. Indeed, the principle that the people are sovereign, excludes the idea that a formal, written constitution, is the only one, by which they can bind themselves.

The second proposition your committee believe to be fully sustained ed by facts.

It is indeed true, that according to the present common acceptation of the term constitution, that is, one adopted by a Convention of the dele-

gates of the people assembled for that purpose, in the manner that our own was originally made and adopted, the people of Rhode Island did not adopt a written Constitution. But it is equally true that they did adopt a *written* Constitution in form unlike our own, yet republican in its character, and in a manner which they judged most conducive to their own interests, in other words, as they saw fit.

In 1660, Charles II. granted a charter to the colonists, giving them the right to elect all their officers, executive, legislative and judicial, and empowering their legislature, among other things, to make, ordain, constitute, or repeal, such laws, statutes and ordinances, forms and ceremonies of government and magistracy, as to them should seem meet, &c. with the proviso, that they be not repugnant to the laws of England. This charter was accepted by them, and thus was established a free government within a monarchy, whether with nicely and equally balanced powers is not now the question, but with full power in the people and their representatives, to mould and change it at their pleasure.

Under this charter, the people of Rhode Island have exercised all the powers of self-government to the present day, and since the adoption of the declaration of Independence, all the powers of an independent and sovereign state, except such as, by the adoption of the Constitution of the United States, were surrendered to the General Government.

The admission of Rhode Island into the Union, was a recognition on the part of the General Government, not only that her Constitution, thus tacitly adopted, was legally binding and operative upon her own citizens, but also that it was sufficiently free and republican in its character to entitle her to become one of the members of the confederacy. As such she acted, by electing, under this same Constitution, her representatives and senators in Congress, and as such she has been received and treated, by permitting them to take part in the deliberations of the National Council, and by every act of that body of a general and national character.

All the states in the Union, in their individual capacity, have severally, through their Legislatures, by resolutions, through their Executives by communicating such resolutions, to the existing authorities of Rhode Island—through their judiciary tribunals, by giving "full faith and credit," (as provided by the Constitution of the United States,) "to all her public acts, records and judicial proceedings," made the same recognition.

But this is not all: the Supreme Court of the United States, the highest judicial tribunal in the nation, have in the case of Leland vs. Wilkinson, expressly recognized the charter of Charles II. as the fundamental law of Rhode Island, except, so far as it has been modified, to meet the exigencies of the revolution.

In view of all this, can it be said that Rhode Island has had no constitution, no written constitution, and that the charter of Charles II. was rendered null and void, by adopting the Declaration of Independence? If so, a *sovereign people*, by a *simple declaration* can destroy a constitution, but a *sovereign people* by their *acts*, cannot adopt one,—cannot, by exercising all the powers of government for fifty-six years, perpetuate a form and plan of government, of binding and legal force, because it was originally granted by the charter of a *British King*. A strange commentary, upon the *power* of the *sovereign people*.

It is said however, and by those too, whose official stations claim for their opinions some respect, that such was the effect of adopting the declaration of independence. The absurdity and falsity of this proposi-

tion, appear, as the committee believe, from what has already been said. It may be well, however, to inquire what would be some of the consequences of this doctrine, if true.

Many of our towns were chartered by governors appointed by British kings, (and the agent possesses no more power than his principal.) Were these charters rendered null and void by the declaration of Independence? Are they still void? Where are the titles to our farms, whose origin must be traced to the charters? Are they still void? Such is the case, if this doctrine be true. We are mere "squatters" upon the soil. Our farms belong to the government, and nothing short of Legislative enactments can give us a title. These were not the views of the people of Rhode Island—these were not the views of the fathers of this Republic. Nothing more was intended by the declaration of independence, than to assert the right of self-government in the people, break the tie of allegiance which bound the colonists to the mother country, and make known to the world, the causes which led to, and justified the separation, leaving each colony, within its chartered limits, although chartered by a "British King," to establish such plan and form of Republican government, and adopt it in such manner, as each might choose, and leaving untouched such institutions as each wished to retain, not inconsistent with the principles set forth in that declaration, whether established by a Royal charter or otherwise. That declaration neither prescribed the form or plan of government, nor the mode by which it should be adopted.

The wisdom of the people of Rhode Island in continuing the charter of Charles II. as their Constitution, may well be questioned. Results have shown their errror. The Legislative department was invested with too much power for a well balanced, well ordered republican form of government.

The great change which has taken place in that State, since she became independent, by the increase in commercial and manufacturing business, has required an alteration in the law regulating the right of suffrage in order to embrace a large class of citizens engaged in such business; and, although in the outset, their system, which requires property qualifications for voters, or a qualification by birth, did not operate with a very great inequality, yet the change of business has long required a corresponding change in the law itself. The pertinacity with which the freeman, under that system, have adhered to it, has been no doubt reprehensible. A sufficient cause for that portion of the citizens of Rhode Island who were not freemen, to demand such a change in their fundamental law, that the legislature should possess only its due proportion of governmental power, and so as to give to all its citizens, as far as possible, equal political rights and privileges, has long existed. Notwithstanding your committee consider these privileges, to be of the first and highest importance, as in the exercise of them, all others, whether civil, social or religious, are protected, and preserved; yet as they are only intended to secure the passage of just and equal laws, and an impartial administration of such laws, for the purpose of protecting the latter,—if this has been done, such change should be effected in a constitutional and legal manner, and not by overthrowing the existing government, with physical force, or by any proceeding unknown to the present constitution and laws of that state; and this leads to the consideration of the last proposition above laid down by your committee, namely: That a constitution, or fundamental law, once established, can only be changed, in pursuance of its own provisions, except when actual oppression justifies revolution.

The arguments in support of this proposition have already been, in some measure, anticipated by the remarks of your committee, upon the nature of the political compact, and that which gives it its binding force. If it be granted that this compact is an agreement of a people, in regard to their form and plan of government, strict rules of morality require that all its provisions be observed by each and every citizen. Each one is a party to that agreement, either by expressly adopting it as his own, or by tacitly assenting to it, in claiming and receiving the benefits of its provisions, and like any other contract, it cannot be broken by any one of the parties to it, without a violation of good faith, and trampling upon the rights of others. An attempt to alter the terms of such a contract, whether by a minority or a majority of the parties, unless in pursuance of its own provisions, would be a breach of it the most flagrant of all others, and if accomplished, would be the substitution of a new contract in the place of the original one, with the intent to bind the rest without their consent. Such a mode of changing the constitution of a State, by a portion of its citizens, can only be justified, by adopting the doctrine that physical force is the rule and measure of justice, no matter how or for what purpose applied, and that an act, which if done by one less than half of the citizens of a state would be treason, if done by one more than half, would be legally establishing a new form of government. The absurdity of this doctrine is too manifest to require further comment. At the same time, to illustrate its operation, if carried out, will clearly prove the truth and correctness of the antagonist proposition of your committee, and that its basis is not merely strict principles of morality, justice and good faith, but that it has also for its foundation, an absolute necessity, if the permanency of free governments is to enter into the account.

The citizens of our own State have a constitution establishing a government, in form and in its operation free and republican, which will not suffer, by a comparison with any other of a republican character. Two counties in this State, with a population of less than five thousand each, are each entitled to a Senator to represent them in the Legislature, whilst other counties are entitled to but one for every 10,000 inhabitants. Some towns, with less than 50 freemen, are entitled each to one representative; and other towns, with more than 600 freemen, can each send but one.—Here is an inequality of representation. Admit that a majority of the freemen of the State are dissatisfied with this inequality. Let this majority meet in a mass convention, the most democratic way possible, and unanimously and by acclamation, adopt a new constitution, to remedy this inequality. Would the minority of the citizens, residing in the small counties and small towns, be bound by such a constitution? If so, it could only be by physical power, by brute force, as the strong man binds the weak. It would be a violation of every principle of justice, and of honor —a violation of the oath, taken by the citizen, to support the constitution of his State—a violation of every obligation which tends to bind the political machine together. It would not only be treason to the State, but treason to civil liberty throughout the world. New constitutions would be formed, and obedience to the newly formed government enforced, as often as actual power should change hands. Thus nothing would be peaceable, nothing durable. Free governments must give place to anarchy and Jacobinism, and society must, as often as such change should take place, resolve itself into its original elements. Any other mode of accomplishing the same object, unknown to our present constitution and laws, however

formal the proceeding, however analagous to the mode, by them prescribed, would be productive of like results, and followed by the same consequences. Such a mode of proceeding would be more specious and plausable in its appearance, than the former, and like the mode adopted by the suffrage party in Rhode Island, would consequently find a greater number of advocates. The end sought to be attained would fail, as in that case, or in a manner a thousand fold more disastrous and destructive, for the simple reason, that the means would want the conservative influence and restraining power of constitutional and legal order, to entitle them to respect, or give them efficiency. Is it said that our declaration of rights supports and authorizes the doctrine under consideration? This is denied. It does, indeed, declare, "that the community hath an indubitable, inalienable and indefeasable right to reform or alter government in such manner as shall be, by that community, judged most conducive to the public weal." But the constitution, of which this declaration forms a part, expressly points out the mode by which such alteration or reform is to be effected. It points out "the *community*" which has this "*indubitable, inalienable* and *indefeasable* right to reform or alter"—it is "the *freemen* of the commonwealth" And it as clearly points out how the *judgment* of that "community," in regard to what will be "most conducive to the public weal," shall be ascertained and expressed, by their delegates in convention,—showing conclusively the views and intentions of the framers of our constitution, the true construction to be given to that part of the declaration of rights, and that those men looked upon an alteration of that constitution, in pursuance of its own provisions, as the only mode by which "the *freedom* of this commonwealth" could "be preserved inviolate forever."

Your committee would further remark, that the laws of Rhode Island have never operated, and have never been administered, in such a way as to bring any portion of her citizens within the exception contained in the proposition. There has been no oppression, to justify revolution. There has been no infringement upon the social and civil rights of the citizen. His person has remained as sacred, his property as secure, his social and religious privileges as free and untrammelled, as they could have been elsewhere, under a free government of the most perfect republican model.—Otherwise, cannot be seriously pretended. The principal ground of complaint of the suffrage party was chiefly removed by the constitution proposed by the Legislature of that State, in February, 1842, extending the right of suffrage to all native white male citizens of the United States, who should live three years in the State, and of the age of twenty-one years and upwards, leaving to the suffrage party not a shadow of a pretext for the violent proceedings which subsequently followed, in which they were the actors, and of which the cause.

If, then, the principles contained in the propositions of your committee be correct, their application to the proceedings of a portion of the people of that State, which are too well known to be detailed by your committee, necessarily, in the opinion of your committee, lead to the conclusion to which they have arrived. Your committee regard the subject under consideration, as involving principles and questions of deep interest to the citizens of this State, and of deep interest to the friends of civil liberty throughout the world, and have endeavored, so far as in their power, to treat it as its importance demands. Your committee regard the result of the late troubles in Rhode Island, the triumph of law and order over domestic violence and insurrection, of the most dangerous character, because

deliberately and thoroughly planned and organized, as the clearest proof that our free institutions will endure so long as virtue and intelligence shall form a characteristic of our people.

All which is respectfully submitted.

H. CANFIELD.
A. CUSHMAN,
EZRA C. CHAMBERLAIN.

REPORT OF THE MINORITY OF THE COMMITTEE.

The undersigned, the minority of the committee to whom was referred so much of his Excellency the Governor's message as relates to the recent troubles in the State of Rhode Island, while they entertain the highest respect for the station which his Excellency occupies, as the Governor of this State, and a high consideration for his personal and gentlemanly qualities; and while they admire the frankness with which he has expressed his honest and long settled opinions in reference to the real merits of the Rhode Island controversy, they cannot but deeply regret, that those opinions are so clearly at war with what we consider to be the first *principles* of Republican Government.

In the opinion of the undersigned, there are involved in the Rhode Island controversy, grave questions of American and constitutional law, the rights of government, and the rights of man as man, and as a constituent portion of the State. We, therefore, accord with his Excellency, in the apparent intimation contained in his message, of the high propriety, that the Executive and Legislative officers of the other States of the Union, and we might add, the people of the whole, should make the affairs of Rhode Island a matter of much serious reflection and grave comment. We, too, "shudder to think that the spirit of party has so soon, and with so little cause, involved us in such scenes," where "sons have been arrayed against fathers, and brothers against brothers, and trains of artillery have been pointed with deadly intent." And yet the undersigned exceedingly regret, that his Excellency's supposed knowledge of the facts involved in the controversy between the charter and free suffrage parties in Rhode Island, that clear apprehension of those principles which form the basis of all free or lawful governmental institutions, and which the Governor of a free State is supposed to possess, that warm sympathy with those principles, and that love for the inherent rights of human nature which are so becoming the Vermonter, did not prompt his Excellency to shift the burden of his rebuke from the party, which, in the opinion of the undersigned, was clearly in the right, upon the head of that which was clearly in the wrong; for the undersigned cannot suppose his Excellency to have been legitimate-

ly "concerned in the affairs of that State," just far enough to render a State apology for oppressions proper, but not far enough to save an expression of opinion and sympathy in favor of struggling liberty from the charge of impertinent interference.

In the farewell address of the father of his country, it is said, "the basis of our political systems is the right of the people to make and alter their form of government." This is but a plain commentary upon the *magna charta* of our political faith, "that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty and the pursuit of happiness; that to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness."

Twenty-five State constitutions in this Union declare to the same effect, —that all rightful sovreignty is inherent in, and rests with the people,—that all rightful government is the creature of their creation, and exists only in their consent,—that the people are the source of all power in the government, and not the government the fountain of rights in the people, but that these are the gift of God. The charter government of Rhode Island has, to this hour, utterly denied these fundamental principles of American institutions, and of all government, founded on principles of equality. It denies it, by adhering, as the basis of its authority, to a royal charter, granting "of especial grace, certain knowledge and mere motion," those things as kingly concessions and privileges which every republican claims as his inherent right. It denies them, by a most cautious exclusion of every recognition of them, in the land-holders' proposed constitution. It denies them, by the total exclusion of two-thirds of the people of the State from any participation in the government which bears upon them, and by depriving them of many important civil rights. It denies them, by insisting that the people may not reform the government under whose law and interdict they live, without leave of that government, first asked and granted, as to when, how and wherein, or whether at all, the same may be reformed.

The charter government of Rhode Island, thus forming so strange and monstrous an anomaly in the theory of free institutions, it seems to the undersigned a matter for general regret, that his Excellency, not, as we trust, stimulated by any "spirit of party," but too little considering the mischief which the promulgation of such opinions, by men of exalted station, may work to the cause of liberty, has ventured to stand up as the apologist of such rank abuse and tyrannous misrule.

The undersigned agree with his Excellency, that the effect of the American revolution was to annul, as the law of government, the royal charter by which the corporation of Rhode Island and Providence Plantations had been erected, and that colony, by the adoption of the declaration of Independence, July 12th, 1776, became a "free and independent sovereignty;"—no longer a corporation existing by virtue of royal license, to which might have belonged, under the provisions of the charter, the right to admit or exclude members, by the revolution and by force of the adoption of the declaration of independence, the *people* of the colony, not the landholders merely, not the General Assembly, but the *whole people*, the true conquerors of the British crown, became a free and independent

State. Upon whom, then, devolved the sovereignty of the State, but upon the whole people of Rhode Island? In what body or class of men became vested the right to "institute a new government, laying its foundations upon such principles, and organizing its powers in such form as should seem to the people most likely to secure their safety and happiness," if not in the whole people? But, by a law of the old corporation, no person, under its provisions, was a free man of the company, unless admitted such by special vote of town meeting, or unless owning land of the value of $134, or the oldest son of a freeholder. This law of the old corporation, so repugnant, as the law of a State, to the genius and spirit of American institutions, so directly in violation of natural equity, so much at war with the rights of the man and the citizen, and one which must necessarily have expired with the royal charter by virtue of which it has its existence, was, after the revolution, resuscitated and brought again into existence, at the *fiat* of the land-holders, for the purpose of giving to the privileged few the power to control and govern the many. Upon the basis of this old corporation law has every General Assembly stood, except the one elected and convened under the people's constitution, in 1841, by means of which illegal proceedings and usurpations have two-thirds of the people of that State been deprived of their rights, for which they fought and struggled for a period of seven years with the most powerful nation on the face of the globe. The undersigned, therefore, cannot agree with his Excellency, that, constituted as that Legislature was, without any fundamental law, adopted and sanctioned by the assent of the people, who acquired the right to the territory and the political power, by virtue of the treaty of eighty-three, with Great Britain, it could pass any law or system of laws, which could not be annulled by any authority except that body whose whole power had nothing to sanction it but usurpation. If the proposition be conceded, as the undersigned apprehend it must be, upon all hands, that the people are the real source of power, it is difficult for us to conceive *how* they are to be deprived of that power without their consent.

By an act of the Legislature, it is provided, that "no person who is not a *freeholder* shall have out of the clerk's office any writ, &c., or unless some sufficient freeholder shall endorse his christian and sir name on the back of the same." None but *freemen* can be empanelled or sit as jurors —a fact which adds terror to the laws of the freeholders' Assembly, which makes it high treason in the people to oppose the freeholders' government. Such cannot be tried by their peers.

By another law, the town council are authorized to give notice to any person coming within their limits, he not being a freeman, to depart out of their town within a certain period, on penalty, if he fail to go, of being bound for one year into servitude, *to any citizen of the United States.* Plainly by this statute, any new resident, not a freeholder, might be bound out into slavery at the South. Another section of the same act, renders it imperative on all who entertain strangers, to report them within seven days to the president of the town council. Nor has this act remained an entire dead letter; but official town dignitaries and others have, under its shelter, ever and anon annoyed and insulted with threats of banishment, the stranger whose religious or moral or political teachings chanced not to suit them, and have even proceeded to carry such threat into execution.

It would have been most strange, if true, that the people of Rhode Island should have been satisfied with the "existining form of govern-

ment;" that we should have "heard no complaints of misgovernment, nor of the suffering of any portion of her people." If we may suppose, that two-thirds of the people of Rhode Island were content to be regarded as the *outcasts* of the State, without security for their rights, itself a right inherent, without voice or influence in the government which claims to rule them; to be taxed without being represented; to whom every office of honor or emolument was hopelessly closed; without the power to maintain a suit at law, save under the patronage of one of the more noble caste; without the right of trial by a jury of their peers, and liable to banishment or binding into servitude, in case of a change of residence; then indeed might we regard them so far lacking in "intelligence, activity and energy," as that possibly we might say, for them political self-government "would be the worst form of which we have any knowledge,"—did not such an expression involve the absurdity of comparing the merits of self-government with despotism, when self-government alone can be rightful. But it is not true, that the people of Rhode Island have borne oppression so tamely. Seven distinct struggles for liberty in Rhode Island may be noted in the space of the last half century, before we come to this last, wherein the people made for themselves a constitution. These several efforts and all others had proved unavailing. The power of "public opinion" had been tried; but what was the "opinion" of the two-thirds, without the ballot whereby to give emphasis to that "opinion" to the remaining third, who governed by right of their acres? That Samson was shorn of his locks. What sane mind could hope, that the opinion of the disfranchised would be armed with such potency as to compel, or clothed with such pursuasive eloquence as to charm the possessors of power to yield up those usurpations which made them higher in authority, influence, or consideration, than the common herd? The repeated petitions of the people for an extension of the suffrage had been as repeatedly spurned, and the petitioners were characterized, in reports of committees, as a degraded portion of the community, and were reminded that, if they were not satisfied with the institutions of the State, they could migrate to some other portion of the earth.

In 1824, the Assembly called a Convention, not of the whole people, but of the land-holders and their oldest sons, to form a constitution. A motion therein, to extend the suffrage, received but three votes. The proposed constitution was rejected by the land-holders. In 1834, another convention of the like character assembled, wherein the proposition to extend the suffrage received but *seven* votes, and the members dropping off, one after another, the body dispersed for want of a quorum. Once more, in January, 1841, petitions were sent to the Assembly, praying for the redress of the people's grievances. They were insultingly passed by without any notice or action. But a petition was presented in favor of a more equal representation among *freemen*, and this was acted upon by the adoption of a resolution, Feb'y 6, 1841, requesting the *freemen* to choose delegates to a convention, to be held in November, 1841.

The disfranchised non-freeholders, well knowing that the contemplated convention of *freemen* was not intended to do any thing effectual for them, invited a mass convention of the people at Providence, April 17th, 1841, "to consider their rights, grievances and remedies." A second mass convention was held at Newport, May 5th; and a State committee was appointed, to call a convention of the people at large, for the formation of a republican constitution. But this call was delayed until the June session

of the Charter Assembly, at which Mr. Atwell, a free suffrage member, introduced a bill to admit *tax payers* to vote with the "*freemen*," in the choice of delegates to the November convention, appointed by the Assembly. *Ten votes*, only, out of the sixty-two, were given in favor of this motion; proving clearly, that the people had not mistaken the objects of the Charter Assembly Convention. On the 5th of July, therefore, their mass convention assembled again at Providence, and instructed their State committee to issue forthwith their call. This was accordingly done. Delegates were duly chosen, according to an equal ratio, and, in doing this, moderators and clerks were chosen in the primary meetings, held in nearly all the towns in the State, and the business was transacted according to customary usages in Rhode Island. A large majority of the delegates assembled in convention at Providence, Oct. 4, 1841, formed a plan of a constitution, and adjourned until the next month, that the plan might be submitted to the public scrutiny, and be discussed among the people. They re-assembled in November, made several amendments of their plan, passed upon the constitution, and submitted it to the people for their adoption or rejection. The adult male population who were citizens of the United States, and had their permanent residence or home in the State, were invited to vote upon this question of adoption or rejection of the constitution. This was done, agreeably to the appointment of the convention, Dec. 27th, 28th, and 29th, 1841, and the result was, the adoption of the constitution, by a vote of 13,944, being more than three-fifths of the entire male population of the State, and by a majority amounting to nearly 600 of the freehold votes. These votes were duly returned to the people's committee, examined and counted, and the constitution declared to be adopted. The report of the Counting Committee was transmitted the Charter Assembly, at its January session, 1842, and a motion made by Mr. Atwell, in that body, for a committee to examine the return, which was rejected by a large majority. So the Charter Assembly refused to inquire, whether or not the people had adopted a constitution.

In the opinion of the undersigned, this constitution, so framed and adopted, became, was, and is the lawful constitution of the State of Rhode Island. If it be objected to its validity, that it was framed and adopted without license of the charter assembly, we answer that such consent had been repeatedly asked, running through a period of fifty years, and as repeatedly refused; that Rhode Island, up to this time, was without any constitution; that there existed no fundamental law in which was pointed out the mode of its own amendment; that the majority of the people were in no wise parties to, or members of that government which claimed the right to rule them; and further, that it results necessarily from the idea of the people's sovereignty, that being bound by no compact to the contrary, self-imposed, or self-assumed, with them it lawfully rests to say when and *in what manner* they will create or alter a government for themselves. The constitution of our own state declares "that the community hath an indubitable, inalienable and indefeasible right to reform or alter government in such manner as shall be by that community judged most conducive to the public weal." The constitution of Pennsylvania declares that "the people *at all* times have an indubitable and indefeasible right to alter, reform or *abolish* their government in such *manner* as they think proper. The constitution of Virginia declares that "a *majority* of the community hath an indubitable, inalienable and indefeasable, right to reform, alter, or *abolish* government in such *manner* as shall

be judged most conducive to the public weal." Every constitution of government in the American Union, except the rejected landholders' constitution in Rhode Island, contains the assertion of a like principle. Judge Wilson, of Pennsylvania, one of the framers of the U. S. Constitution, says "the people may change the constitution, whenever and *however* they please. This is a right of which no positive *institutions* can deprive them."* Mr. Madison, speaking of irregularities in the proposal of a constitution, says, "It must be borne in mind that as the plan framed and proposed is to be submitted to the people themselves, the disapprobation of this supreme authority would destroy it forever; its approbation *blot out all antecedent errors and irregularities.*"† The above are but few from a multitude of like and concurring authorities upon the subject of popular sovereignty, treasured in the writings of the great fathers of the republic. In later times the people of the territory of Michigan, without the sanction of express law, by a spontaneous movement, with less regard to the form and accuracy of their proceedings, and less unanimity than characterized the doings of the people of Rhode Island, framed and adopted for themselves a constitution of government, and under it were admitted into the Union as a State. Indeed, it seems to the undersigned to be practically an utter denial of the doctrine of popular sovereignty to claim that with the existing government, and not the people, rests the right to say when, or in what manner itself may be changed. If the people are bound to ask the assent of the existing government to any change therein, then in reason the government must have the right to refuse assent, and, if so, then to maintain itself against the consent of the people by force of arms. Such a doctrine the undersigned conceive to be anti-republican, a heresy in American politics, and despotic.

On the first Monday in November 1841, the landholders' convention assembled in accordance with the previous vote of the Charter Assembly, for the purpose of drafting a constitution. On the question of the extension of the suffrage, it was "*voted* to exclude the eldest son of freemen, and to admit such white male adult citizens, as possessed taxable property to the amount of five hundred dollars." The convention adjourned, to meet again the 15th day of February, 1842. Thus matters stood, when, on the 27th, 28th and 29th days of Dec. 1841, the people, as before stated, adopted for themselves, by a large majority, a constitution. If it were necessary for the people of Rhode Island to make "excuse" for so doing, it seems to the undersigned, that such "excuse" may be found in the character of the vote before specified, whereby the land-holders proclaimed to the people, as they had ever done, that property, and not humanity, was to be the basis of their government; that disfranchisement and exclusion, as unreasonable and cruel as had ever existed under the old charter, was to be their policy. It is true, that, at the adjourned session of the land-holders' convention, holden on the 15th day of February, 1842, and after the adoption of the people's constitution, some modifications for the better were made by the convention in the proposed suffrage. But yet, in the constitution then proposed, there existed features so abominable as to render it utterly unfit for the organic law of a free people. It contained no recognition of the sovereignty of the people, or their right to frame or alter their government at pleasure. It did not provide for the vote by ballot, without the name of the voter written upon the ticket. It kept up the

*Wilson's Works, vol. 3, page 292. † Federalist, No. 40.

freehold test, and bestowed peculiar privileges upon the freeholder's oldest son. Its apportionment of representation was so unequal as to leave the control of the government in the hands of less than one-third of the people. And, finally, it so hedged up the way of any after amendment of it, as to render any improvement almost hopeless. This proposition was submitted to such of the people as would be voters under it, if adopted, on the 21st, 22d and 23d days of March, 1842, and was rejected by a majority of near 700 votes. If the people of Rhode Island need other "excuse" for *this* exercise of their sovereignty than is found in the unequal and unjust provisions of the land-holders' proposed constitution, it may be found in the facts, that they had been denied all participation in the framing thereof, and that they had already adopted for themselves, in legal form, by a large majority of all the people of the State, and by a majority of the freeholders also, a better constitution, which was then in force.

On the 18th day of April, 1842, the people of Rhode Island organized their government, by the election of officers under their constitution, at which election, held under the denunciation of the penalties of high treason by the Charter Assembly, Thomas Wilson Dorr was duly elected Governor of Rhode Island, by a majority of near 1,600 votes over the candidate of the land-holders' party. It is the opinion of the undersigned, that thereby the Hon. Thomas W. Dorr became, was and is the lawful and constitutional Governor of that State.

On the 3d day of May, 1842, the people's General Assembly met and organized, received the message of their Governor, and proceeded to the business of legislation. Hitherto, on the part of the people, affairs had not passed the boundaries of peaceful agitation. A revolution had been effected, in just accordance with American principles, in a mode strictly lawful and constitutional, unattended by the sound of drum or the din of arms, and without the shedding of blood. It became then the duty of the land-holders' party to submit themselves peaceably to the people's government. Yet, not because the constitution adopted was not equal and just, both in its principles and forms; not because any lawful rights were taken from, or insufficiently secured to them: with the prompt instinct of the possessors of unlawful power, they armed and set themselves in array against their lawful government, resolving its overthrow by the bayonet. Finding that they were too weak of themselves to accomplish this end, they applied to the President of the United States for the aid of the standing army.—Without a proper consideration or understanding of the rights of the parties, as the undersigned would hope, this aid was too readily granted. The usurpation was successful—not because the people had lost faith in the lawfulness of the government they had established, but with that tender consideration for human life which ever marks the advocate of human rights, the great body of the people chose to forego, for a season, their right, rather than maintain it against the combined powers of the charter party and of the General Government, by the butchery of their brethren; whereas, time and the progress of opinion had no hopes in store for the land-holders' government, its power being upon the speedy arbitrament of the sword; and to that it appealed. "Order reigns in Warsaw!"—and "order" reigns in Rhode Island, with the most noble of her citizens in chains and banishment, hunted under the impeachment of high treason, from State to State, for having dared to assert the doctrine of popular sovereignty—for having rendered obedience to their God by resistance to tyranny.

The undersigned, therefore, do not allow with his Excellency that it is in any wise true, that the people of Rhode Island sought to effect a "revolution by the sword," nor can we agree with his Excellency in condemning their efforts for freedom, because "they were in possession of the same *free government*" (strange misnomer!) "that they had always enjoyed;" nor because a denial of the vital principles of republicanism in the charter government, an utter disfranchisement of a great majority of the people, and their degradation politically and civilly, as an inferior caste, "were *all* the evils complained of."

The argument of his Excellency that, because the inequalities of representation in the Senate of the United States and in the Legislature of this State, might not justify a revolution by the sword, therefore the people of Rhode Island cannot justify the revolution of their government in the way in which they effected it, in the opinion of the undersigned, is a most erroneous conclusion. It is enough to say that in the instances supposed, the people have expressly bound themselves by such a contract, and, that if it does not now suit them, they are at all times at liberty to remedy the supposed evil in that manner which their contract specified. In such case the conscience-binding obligation of a contract may attach. But when, and by what indenture did the disfranchised two thirds of the people of Rhode Island, held and treated as incompetent to contract, bind themselves in servitude to the remaining third? By what compact was it, that the people had surrendered their "inalienable and indefeasable right to reform or alter government *in such manner* as they might deem most conducive to their safety and happiness?" Never; the people have not in any form yielded their assent to the charter government of that State.

The undersigned forbear expressing any opinion in relation to the inequality of representation, found at present existing under our national government, in the Senate of the United States, inasmuch as his Excellency has not advised the Legislature of this State to interfere with the constitution of the United States regulating that body.

The undersigned cannot agree with his Excellency, "that the State sovereignties are not sufficiently provided against the exigencies of rebellion," or that they ought to be "armed" with any larger "powers to quell domestic insurrection." The undersigned believe that the "penalties for treason," the civil power of the State, with authority to call out the citizen soldiery thereof, but most of all, the patriotism and intelligence which characterizes that people to whom are accorded free institutions, constitute every lawful or desirable safeguard against "insurrection" and "rebellion." Why should a people *rebel* in whom is acknowledged and to whom is secured all their rights? If not so acknowledged and secured, how much better for the government to do justice than to take the sword.

Entertaining these views, the undersigned would not recommend any Legislative enactments in this State, or other expedient to increase the powers of the government as a "provision against the exigencies of rebellion," conceiving it quite safe to trust to the virtue and intelligence of the people that they will not rebel against their own government, if it shall do them no wrong. The undersigned cannot agree with his Excellency in the slighting consideration with which he seems to regard "mere theories about government and political rights." A lawful government is founded upon a theory—a "theory of rights" inherent in man,

indefeasible and inalienable. And the undersigned cannot but esteem it highly proper for the executive of a free government, to recur often and habitually to this simple theory as a rule whereby to square his policy, a touchstone wherewith to try his republicanism. From this "theory" the undersigned evolve the accompanying resolutions, which they recommend to this House for their consideration.

All of which is respectfully submitted.

C. B HARRINGTON, } *Minority of*
DANIEL COBB, } *Committee.*

Resolved, "That the basis of our political systems is the right of the people to make and alter their form of government."

Washington's Farewell Address.

Resolved, That the people of Rhode Island had "an inalienable, indubitable and indefeasable right to reform or alter their government, *in such manner* as by them judged most conducive to the public weal."

Constitution of Vermont.

Resolved, That this was "a right of which *no positive institutions* could deprive them."

Judge Wilson.

Resolved, That the adoption of a constitution by the people of Rhode Island in December, 1841, was the "approbation of the supreme authority" in the State, and "blotted out all antecedent errors and inequalities," (if any,) in its proposal; and that the same thereby became, was, and is, the lawful constitution of the State of Rhode Island.

James Madison.

Resolved, That the Hon. Thomas W. Dorr, duly elected under said constitution in April, 1842, as Governor of Rhode Island, thereby became, was, and is, the lawful Governor thereof.

GRAND LIST FOR 1842,

AS REPORTED BY THE STATE AVERAGING COMMITTEE.

BENNINGTON COUNTY.	Polls at $1 is	Real Estate,	Appraised at $ is		Personal Estate appraised at $ is		Total of the polls and one per cent. of the real and personal estate is	
Towns.	Dolls.	No. acres.	Dolls.	Cts.	Dolls.	Cts.	Dolls.	Cts.
Arlington,	183	22069	284726	92	74115	67	3771	43
Bennington,	514	23427	737630	02	220783	49	10098	14
Dorset,	248	22604	299002	00	50113	36	3739	15
Glastenbury,	8	22622	15260	63			160	61
Landgrove,	60	5420	34900	80	14088	00	549	89
Manchester,	273	21458	357908	10	94971	00	4801	79
Peru,	90	18202	63261	16	8768	00	820	29
Pownal,	220	23025	393914	40	32256	00	4481	70
Readsboro',	96	22364	57970	55	5494	00	730	65
Rupert,	134	24211	313180	56	68384	00	3949	65
Sandgate,	124	21855	136512	67	13670	75	1626	03
Searsburgh,	28	10010	11254	72	2953	00	170	08
Shaftsbury,	257	24116	451035	29	47720	25	5244	56
Stamford,	126	26687½	91685	44	9961	50	1142	47
Sunderland,	89	21412½	91012	75	15741	52	1156	54
Winhall,	121	26251	84535	20	11773	00	1084	08
Woodford,	68	27288	63534	90	4846	50	741	81
Total,	2639	367022½	3487326	11	675660	04	44268	87

GRAND LIST FOR 1842,

AS REPORTED BY THE STATE AVERAGING COMMITTEE.

[CONTINUED.]

WINDHAM COUNTY.	Polls at $1 is	Real Estate,	Appraised at $ is		Personal Estate is		Total of the polls and one per cent. of the real and personal estate is	
Towns.	Dolls.	No. acres.	Dolls.	Cts.	Dolls.	Cts.	Dolls.	Cts.
Athens,	68	8030	77373	12	12754	00	909	27
Brattleboro',	477	20174	706498	53	241204	00	9954	03
Brookline,	49	6682	5501	94	84375	46	893	75
Dover,	126	15990	154707	24	39877	33	2071	85
Dummerston,	200	18154	237865	34	33176	00	2910	41
Grafton,	231	22642	245559	38	40626	22	3092	86
Guilford,	294	23726	366144	93	66292	00	4618	37
Halifax,	224	24013	250312	38	36256	15	3089	69
Jamaica,	255	25831	214130	41	47229	00	2868	59
Londonderry,	221	18225	170717	09	34077	00	2268	94
Marlboro',	166	23247	212063	34	34580	00	2632	43
Newfane,	248	22489	361528	70	72041	00	4583	70
Putney,	236	16093	320102	43	41575	22	3852	78
Rockingham,	417	24951	562325	49	117715	67	7217	41
Somerset,	37	21542	42320	86	3240	00	492	61
Stratton,	60	24702	44684	99	3195	00	538	80
Townshend,	269	23914¾	298093	61	90219	73	4152	13
Vernon,	115	11201½	199728	82	46183	00	2574	12
Wardsboro',	194	17504	213102	50	53827	42	2863	30
Westminster,	248	24400	466338	17	78289	51	5684	28
Whitingham,	253	23475	209658	71	40978	75	2759	37
Wilmington,	231	26888	302002	71	59014	00	3841	16
Windham,	130	15355	130587	22	42790	00	1863	77
Total,	4749	459229¼	5864819	49	1240642	94	75803	62

GRAND LIST FOR 1842,

AS REPORTED BY THE STATE AVERAGING COMMITTEE.

[CONTINUED.]

RUTLAND COUNTY.	Polls at $1 is	Real Estate,	Appraised at $ is		Personal estate is		Total of the polls and one per cent. of the real and personal estate is	
Towns.	Dolls.	No. acres.	Dolls.	Cts.	Dolls.	Cts.	Dolls.	Cts.
Benson,	208	23854	399378	82	88313	42	5084	92
Brandon,	463	22751	474208	00	250052	75	7705	61
Castleton,	319	21429	454446	90	113203	00	5995	50
Chittendon,	101	34928	51078	36	12019	00	731	97
Clarendon,	242	21244	477687	60	83311	00	5851	99
Danby,	237	21736	408553	20	88064	00	5203	17
Fairhaven,	103	9908	135367	60	36187	00	1818	55
Hubbardton,	107	15240	170186	50	26411	00	2072	97
Ira,	64	9453½	102374	00	35362	50	1441	36
Mendon,	90	22151	87352	00	12738	90	1090	91
Middletown,	194	13656½	203945	50	34167	00	2575	13
Mount Holly,	228	26695	295333	50	30942	75	3490	76
Mount Tabor,	37	22193	66846	15	5044	00	755	90
Orwell,	176	24594	603146	00	293920	00	9146	66
Pawlet,	305	24001	547083	38	140487	00	7180	80
Pittsfield,	117	11977	71021	00	11969	50	946	91
Pittsford,	277	26123	574617	67	90454	57	6927	72
Poultney,	317	24311	477028	80	119732	00	6284	61
Rutland,	392	28409	864596	00	251959	00	11557	55
Sherburne,	92	25426	72169	00	13986	00	953	55
Shrewsbury,	74	26465	271503	00	84012	00	3629	15
Sudbury,	123	11583	169476	00	26597	00	2083	73
Tinmouth,	108	17027	266938	00	49966	00	3217	04
Wallingford,	245	22593	418084	00	109724	04	5523	08
Wells,	129	12140	160243	47	13895	60	1880	39
West Haven,	132	14814	194184	00	25359	00	2327	43
Total,	4890	534701½	8010848	45	2047888	03	105477	36

GRAND LIST FOR 1842,

AS REPORTED BY THE STATE AVERAGING COMMITTEE.

[CONTINUED.]

WINDSOR COUNTY.	Polls at $1 is	Real estate,	Appraised at $ is		Personal estate is		Total of the polls and one per cent. of the real and personal estate is	
Towns.	Dolls.	No. acres.	Dolls.	Cts.	Dolls.	Cts.	Dolls.	Cts.
Andover,	139	15944	148391	32	33860	44	1961	52
Baltimore,	24	2854	35588	82	6020	53	440	09
Barnard,	315	26712	290471	52	60476	00	3824	48
Bethel,	295	23794	331214	40	68516	00	4291	30
Bridgwater,	286	26487	245384	46	51663	00	3256	47
Cavendish,	277	23945	397042	14	128543	26	5532	85
Chester,	408	34291	519009	66	131747	00	6915	57
Hartford,	360	25168½	422983	80	87898	08	5468	82
Hartland,	369	26600	481015	68	124265	46	6421	81
Ludlow,	241	20398	256795	20	48712	44	3296	08
Norwich,	334	23665	436909	86	49524	38	5198	84
Plymouth,	261	26575	216893	82	58357	00	3013	51
Pomfret,	311	21945	342298	74	71897	56	4452	96
Reading,	259	24278	283984	83	48858	50	3587	43
Rochester,	234	21280	227982	24	74002	00	3253	84
Royalton,	306	23993	402666	42	79504	00	5127	70
Sharon,	239	21679	226724	58	72821	20	3234	46
Springfield,	491	28750	707037	48	115846	50	8719	84
Stockbridge,	235	21989	210281	16	22692	00	2564	73
Weathersfield,	335	25688	476938	74	99690	09	6101	29
Weston,	205	18212	180682	80	51662	00	2528	45
Windsor,	462	24123	572374	02	111084	76	7296	59
Woodstock,	562	25001	636872	70	159703	00	8527	76
Total,	6947	533372½	8049544	39	1757345	20	105015	89

GRAND LIST FOR 1842,

AS REPORTED BY THE STATE AVERAGING COMMITTEE.

[CONTINUED.]

ADDISON COUNTY.	Polls at $1 is	Real estate,	Appraised at $ is		Personal estate is		Total of the polls and one per cent. of the real and personal estate is	
Towns.	Dolls.	No. acres.	Dolls.	Cts.	Dolls.	Cts.	Dolls.	Cts.
Addison,	158	23482	469956	45	72890	35	5586	47
Bridport,	187	24256	477546	40	87753	00	5939	99
Bristol,	219	19642	236620	83	90646	00	3491	67
Cornwall,	151	17033	338394	32	44247	00	3977	41
Ferrisburgh,	157	27049¾	531449	64	44718	00	5918	68
Goshen,	103	18201¼	49940	90	7344	51	675	85
Granville,	105	29035	110223	60	10254	45	1309	78
Hancock,	87	18157	57161	52	16059	33	819	21
Leicester,	97	11190	147730	03	15763	63	1731	94
Lincoln,	161	17402½	82501	00	23006	00	1216	07
Middlebury,	381	20140	630746	46	196775	00	8656	21
Monkton,	181	19013	256197	00	38950	00	3132	47
New Haven,	177	23534	466296	00	95365	00	5793	61
Panton,	86	9132	183390	57	19970	00	2119	61
Ripton,	89	26408	53622	00	9541	00	720	63
Salisbury,	142	16001½	205495	70	29706	00	2494	02
Shoreham,	230	23504	502767	00	76548	00	6023	15
Starksboro',	227	22176	142528	88	37199	66	2024	29
Vergennes,	146	1277½	195649	22	152795	28	3630	44
Waltham,	48	5274	105828	81	7270	50	1178	99
Weybridge,	106	10011	198139	78	32338	92	2410	79
Whiting,	112	7548½	148749	51	26347	95	1862	97
Total,	3350	389468	5600935	62	1135489	58	70714	25

GRAND LIST FOR 1842,

AS REPORTED BY THE STATE AVERAGING COMMITTEE.

[CONTINUED.]

ORANGE COUNTY.	Polls at $1 is	Real estate,	Appraised at $ is		Personal estate is		Total of the polls and one per cent. of the real and personal estate is	
Towns.	Dolls.	No. acres.	Dolls.	Cts.	Dolls.	Cts.	Dolls.	Cts.
Bradford,	293	17674	359408	12	85459	97	4741	68
Braintree,	220	20920	211595	40	40311	00	2739	07
Brookfield,	331	23838	346435	20	67683	00	4472	18
Chelsea,	386	23393	363302	48	166809	77	5687	12
Corinth,	341	27735	402985	76	82877	00	5199	63
Fairlee,	104	11369½	158854	22	20324	95	1895	79
Newbury,	510	36832	550129	64	103617	00	7047	47
Orange,	158	19803	148986	18	30289	00	1950	75
Randolph,	491	27674	625527	32	220696	00	8953	25
Strafford,	307	24454	346881	40	114719	00	4923	01
Thetford,	348	23348½	403514	76	83300	00	5216	15
Topsham,	295	26970	269984	12	56788	00	3562	72
Tunbridge,	317	25615	343565	63	58808	85	4340	74
Vershire,	225	21094	219543	28	52009	63	2940	53
Washington,	264	20573	208181	28	44059	63	2786	41
West Fairlee,	131	12550	126359	24	23858	00	1633	17
Williamstown,	272	22848	334230	20	93931	71	4553	62
Total,	4993	386691	5419484	23	1345544	51	72643	29

GRAND LIST FOR 1842,

AS REPORTED BY THE STATE AVERAGING COMMITTEE.

[CONTINUED.]

CHITTENDEN COUNTY.	Polls at $1 is	Real estate,	Appraised at $ is		Personal estate is		Total of the polls and one per cent. of the real and personal estate is	
Towns.	Dolls.	No. acres.	Dolls.	Cts.	Dolls.	Cts.	Dol's.	Cts.
Bolton,	53	21259	52241	40	5256	00	627	97
Burlington,	699	14850¾	968077	44	509148	00	15471	25
Charlotte,	158	22932½	421958	79	62769	00	5005	28
Colchester,	222	21268	313186	85	42789	54	3781	76
Essex,	277	21866¼	311769	77	59780	00	3715	50
Hinesburgh,	201	21076	340116	30	77413	00	4376	29
Huntington,	193	19919	144150	30	37315	00	2007	65
Jericho,	260	19260	294866	10	68576	05	3894	42
Milton,	322	28013¼	372957	66	123316	28	5284	74
Richmond,	156	16945	226133	10	37312	00	2790	45
Shelburne,	145	13633½	289927	80	53064	00	3574	92
St. George,	27	2196	25394	40	1670	00	297	64
Underhill,	256	30366	148261	50	33071	00	2069	33
Westford,	230	19232	199595	70	40260	00	2628	56
Williston,	215	17784¼	301254	30	89790	50	4125	45
Total,	3414	290601½	4409891	41	1241530	37	59928	21

GRAND LIST FOR 1842,

AS REPORTED BY THE STATE AVERAGING COMMITTEE.

[CONTINUED.]

WASHINGTON COUNTY.	Polls at $1 is	Real estate,	Appraised at $ is		Personal estate is		Total of the polls and one per cent. of the real and personal estate is	
Towns.	Dolls.	No. acres.	Dolls.	Cts.	Dolls.	Cts.	Dolls.	Cts.
Barre,	344	19540½	480721	00	103142	00	6182	63
Berlin,	234	20996	324109	00	66747	00	4142	56
Calais,	257	20658	383329	00	40967	00	3499	96
Duxbury,	135	22886½	109017	00	17544	75	1400	62
Fayston,	112	20672	66120	00	6314	16	836	34
Marshfield,	206	22490	187047	00	28540	00	2361	87
Middlesex,	230	22034	221692	00	28636	00	2733	28
Monroe,	171	19792	83410	00	9913	50	1104	23
Montpelier,	644	21082½	775587	00	278608	00	11185	95
Moretown,	208	21348	159849	00	18457	00	1991	06
Northfield,	384	21739	298822	80	52171	00	3893	93
Plainfield,	150	9232	143149	50	54681	25	2128	31
Roxbury,	159	20715	101981	00	17555	00	1354	36
Waitsfield,	166	16820	192817	47	35811	62	2452	29
Warren,	209	20943½	129564	00	24205	89	1746	70
Waterbury,	330	20743	349517	00	64159	33	4466	76
Worcester,	115	22785	69307	60	4358	25	851	66
Total,	4054	344476½	3976040	37	851811	75	52332	51

GRAND LIST FOR 1842,

AS REPORTED BY THE STATE AVERAGING COMMITTEE.

[CONTINUED.]

CALEDONIA COUNTY.	Polls at $1 is	Real Estate,	Appraised at $ is		Personal Estate appraised at $ is		Total of the polls and one per cent. of the real and personal estate is	
Towns.	Dolls.	No. acres.	Dolls.	Cts.	Dolls.	Cts.	Dolls.	Cts.
Barnet,	340	25317	351979	84	81592	50	4675	72
Burke,	197	19122	165437	49	36131	85	2212	69
Cabot,	268	21313	231677	90	49933	00	3684	11
Danville,	370	34717½	493062	03	97581	00	6276	43
Groton,	165	23086½	115416	14	24095	65	1560	12
Hardwick,	271	21323	266956	43	60151	50	3542	08
Kirby,	100	14802½	85772	53	5463	52	1012	36
Lyndon,	305	22561	355295	00	75506	00	4613	01
Newark,	74	20935	46975	88	4453	00	588	29
Peacham,	222	26451	242617	53	147713	00	4125	30
Ryegate,	184	21222	226195	21	35380	00	2799	75
Sheffield,	133	20262	122946	98	16883	60	1531	31
St. Johnsbury,	364	20584½	341445	16	132246	55	5100	92
Sutton,	194	20170	153088	90	26311	12	1988	00
Walden,	161	21554½	138873	87	34821	60	1897	95
Waterford,	201	23175	231143	33	53631	00	3048	74
Wheelock,	160				12887	71	288	88
Total,	3709	356596¼	3568884	22	894782	00	48345	66

GRAND LIST FOR 1842,

AS REPORTED BY THE STATE AVERAGING COMMITTEE.

[CONTINUED.]

FRANKLIN COUNTY.	Polls at $1 is	Real Estate,	Appraised at $ is		Personal Estate is		Total of the polls and one per cent. of the real and personal estate is	
Towns.	Dolls.	No. acres.	Dolls.	Cts.	Dolls.	Cts.	Dolls.	Cts.
Bakersfield,	211	23608	194563	20	36902	00	2525	65
Berkshire,	261	22468	210906	80	58760	00	2957	67
Enosburgh,	298	24132	244026	64	37337	74	3111	64
Fairfax,	299	21883	226600	40	59157	37	3156	58
Fairfield,	253	27328	286590	30	43704	00	3555	94
Fletcher,	168	20063	138837	42	32565	00	1882	02
Franklin,	205	20490¼	222532	15	32032	98	2750	65
Georgia,	254	21997	306131	90	61774	22	3933	06
Highgate,	326	29244	295553	90	34216	00	3623	70
Montgomery,	116	20257	87119	02	11413	00	1101	32
Richford,	141	19469	93000	34	11681	96	1187	82
Sheldon,	209	21674	247645	84	53177	00	3217	23
St. Albans,	297	22022½	501035	39	256275	00	7870	10
Swanton,	314	24043	315589	04	35240	60	3822	30
Total,	3352	318679¼	3370132	34	764236	87	44695	68

GRAND LIST FOR 1842,

AS REPORTED BY THE STATE AVERAGING COMMITTEE.

[CONTINUED.]

LAMOILLE COUNTY.	Polls at $1 is	Real Estate,	Appraised at $ is		Personal estate is		Total of the polls and one per cent. of the real and peersonal estate is	
Towns.	Dolls.	No. acres.	Dolls.	Cts	Dolls.	Cts.	Dolls.	Cts.
Belvidere,	40	18395	26095	32	1781	42	318	77
Cambridge,	307	31128¾	327294	71	74637	45	4326	32
Eden,	120	24434½	81261	34	16626	45	1098	88
Elmore,	89	21159	71456	18	6521	00	868	77
Hydepark,	209	22321	218378	98	21667	87	2609	47
Johnson,	246	20346	230014	32	36279	93	2908	94
Mansfield,	43	15951	26793	69	974	00	320	68
Morristown,	257	20725	257971	77	44617	00	3282	89
Sterling,	43	12528	19529	37	7947	00	317	76
Stow,	298	21720	249285	75	85539	00	3646	24
Waterville,	92	9769	63348	60	23960	09	965	09
Wolcott,	189	18900	158737	95	12310	00	1899	48
Total,	1933	247377¼	1730167	98	332861	21	22563	29

GRAND LIST FOR 1842,

AS REPORTED BY THE STATE AVERAGING COMMITTEE.

[CONTINUED.]

ORLEANS COUNTY.	Polls at $1 is	Real estate,	Appraised at $ is		Personal estate is		Total of the polls and one per cent of the real and personal estate is	
Towns.	Dolls.	No. acres.	Dolls.	Cts.	Dolls.	Cts.	Dolls.	Cts.
Albany,	166	17099	93799	20	19113	00	1295	12
Barton,	170	20014	134530	00	52875	00	2044	05
Brownington,	85	15994	56744	60	11085	00	763	30
Charleston,	131	19695½	80423	22	12991	85	1065	15
Craftsbury,	211	21076	165212	08	29748	00	2160	60
Derby,	265	19260	263618	85	48169	25	3382	88
Glover,	244	21484	172193	08	17050	00	2136	43
Greensboro',	171	20240	126086	98	26749	05	1699	36
Holland,	100	19242	37409	30	8200	71	556	10
Irasburgh,	154	21262	142859	20	76453	96	2347	13
Jay,	46	19600	30380	62	2121	00	371	02
Lowell,	107	37238¾	65139	78	8378	50	842	18
Morgan,	69	16796	36414	40	5267	00	485	81
Newport,	106	25243¼	74660	52	6759	42	920	20
Orleans,	137	17073	118024	72	39600	00	1714	15
Salem,	47	9525	29099	84	3615	00	374	15
Troy,	175	21099	118273	76	24290	00	1600	64
Westfield,	84	20838	49350	40	11263	25	690	14
Westmore,	25	20800	14223	49	255	00	169	78
Total,	2493	393580¼	1808444	04	404074	99	24618	19

GRAND LIST FOR 1842,

AS REPORTED BY THE STATE AVERAGING COMMITTEE.

[CONTINUED.]

ESSEX COUNTY.	Polls at $1 is	Real estate,	Appraised at $ is		Personal estate is		Total of the polls and one per cent. of the real and personal estate is	
Towns.	Dls.	No. acres.	Dolls.	Cts.	Dolls.	Cts.	Dols.	Cts
Bloomfield,	36	21269	33217	55	2318	00	391	36
Brighton,	32	21266	29665	44	287	00	331	52
Brunswick,	21	12980	28424	90	4775	88	353	01
Canaan,	71	17739	49633	78	11535	90	682	70
Concord,	187	23643	135325	84	29682	00	1837	08
Granby,	20	21600	15853	32	1680	22	195	34
Guildhall,	75	18548	78147	72	10977	00	966	25
Lemington,	29	22343	27182	52	5082	50	351	65
Lunenburgh,	209	25769	128417	18	32505	00	1818	25
Maidstone,	48	18500	43040	06	15882	00	637	22
Victory,	28	20171	21326	87	896	50	250	23
Total,	756	223828	590235	18	115622	00	7814	61
GRAND ISLE COUNTY.								
Alburgh,	181	15482¼	207640	67	26941	00	2526	82
Grand Isle,	85	8900	158918	01	11282	00	1787	00
Isle La Mott,	57	4600	58603	42	4812	25	691	16
North Hero,	81	7313¾	118170	27	16011	21	1422	81
South Hero,	102	8665½	193666	54	33064	04	2377	30
Total,	506	44961½	736998	91	92910	50	8805	09

GRAND LIST FOR 1842,

AS REPORTED BY THE STATE AVERAGING COMMITTEE.

[CONCLUDED.]

AGGREGATE.	Polls at $1 is	Real estate,	Appraised at $ is		Personal estate is		Total of the polls and one per cent. of the real and personal estate is	
COUNTIES.	Dolls.	No. acres.	Dolls.	Cts	Dolls.	Cts.	Dolls.	Cts.
Bennington,	2639	367022¼	3487326	16	675660	04	44268	87
Windham,	4749	459229¼	5864819	49	1240642	94	75803	62
Rutland,	4890	534701¼	8010848	45	2047888	03	105477	36
Windsor,	6947	533372¼	8049544	39	1757345	20	105015	89
Addison,	3350	389468	5600935	62	1135489	58	70714	25
Orange,	4993	386691	5419484	23	1345544	51	72643	29
Chittenden,	3414	290601¼	4409891	41	1241530	37	59928	21
Washington,	4054	344476¼	3976040	37	851811	75	52332	51
Caledonia,	3709	356596¼	3568884	22	894782	00	48345	66
Franklin,	3352	318679¼	3370132	34	764236	87	44695	68
Lamoille,	1933	247377¼	1730167	98	332861	21	22563	29
Orleans,	2493	393580⅝	1808444	04	404074	99	24618	19
Essex,	756	223828	590235	18	115622	00	7814	58
Grand Isle,	506	44961¼	736098	91	92910	50	8805	09
Total,	47785	4890585¼	56623752	79	12900399	99	743026	49

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A

B

NO. *BILLS of the House of Representatives.*

NO. *BILLS of the House.—(Continued.)*

NO. *BILLS of the House.—(Continued.)*

NO. *BILLS of the House.—(Continued.)*

NO. *BILLS of the House.—(Continued.)*

NO. *BILLS of the House.—(Continued.)*

NO. *BILLS of the House.—(Concluded.)*

NO. *BILLS of the Senate.*

C

D

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Y

NOTE.—On page 121 of the Appendix, the figures in line 19 from the bottom of the page should be $208,594 42, instead of $208,330 99.

On page 118, fifth line from bottom, for "*American,*" before "*Colonization,*" read "*African.*"